

*Wirebasket – Resident & Non-Resident*

Code of Alabama

[www.legislature.state.al.us](http://www.legislature.state.al.us)**Section 9-11-190****CATCHING OF NONGAME FISH FROM PUBLIC WATERS BY USE OF WIRE BASKETS — WHEN, WHERE AND HOW PERMITTED.**

The Commissioner of Conservation and Natural Resources is hereby authorized and empowered to promulgate rules and regulations authorizing the taking, catching or killing of nongame fish from the public waters of this state by the use of wire baskets having a mesh of one inch or more; provided, however, that the Commissioner of Conservation and Natural Resources shall only promulgate such a regulation upon the written petition of all of the state representatives and state senators from the county or counties in which said regulation or regulations shall be effective.

Petitions from state representatives and state senators as provided for above shall specify whether the wire baskets they desire shall have a mesh of one inch or two inches. No regulation shall be promulgated allowing the use of wire baskets in Lewis M. Smith reservoir on the Sipsey fork of the Warrior River unless the Commissioner of Conservation and Natural Resources receives a petition from all of the state representatives and state senators from the counties which border on said reservoir.

**Section 9-11-191****CATCHING OF NONGAME FISH FROM PUBLIC WATERS BY USE OF WIRE BASKETS — LICENSE — REQUIRED; ISSUANCE; FEES; DISPOSITION OF FEES.**

Any person desiring a license to fish with such wire basket in areas where they may be legalized by regulation as provided for in this article may apply to the probate judge or other appropriate licensing authority in any county of this state affected by the provisions of this article and shall pay a privilege license tax of \$1.00 for each wire basket he proposes to fish. Judges of probate, license commissioners or other persons authorized and designated to issue fishing licenses shall be entitled to a fee of \$.25 for each license so issued, which fee shall be in addition to the amount designated in this article as the cost of such license; provided, that all fees collected by any probate judge or license commissioner who is paid a salary for the performance of his duties shall be paid by him into the county treasury to the credit of the appropriate fund.

The revenue derived from the sale of the license provided for in this section shall be remitted to the Department of Conservation and Natural Resources on the first day of each month by the issuing officer and shall be covered into the State Treasury to the credit of the Game and Fish Fund.

**Section 9-11-192****LICENSES NOT TO BE SOLD TO PERSONS HOLDING COMMERCIAL FISHING LICENSES, ETC.; SALE OR OFFER FOR SALE OF FISH BY LICENSEES, ETC.**

The licenses provided for in this article shall not be sold to any person holding a commercial fishing license or engaged in the business of commercial fishing, and it shall be unlawful for any person holding a wire basket license or using a wire basket under the provisions of this article to sell or offer for sale any fish within or without this state. It is the specific intent of this article to allow the use of wire baskets to catch fish for personal consumption only.

**Section 9-11-193****OBTAINING MORE THAN FOUR LICENSES OR FISHING WITH MORE THAN FOUR BASKETS.**

It shall be illegal for any person to obtain more than four such licenses or fish with more than four such baskets.

**Section 9-11-194****MARKING OF BASKETS.**

Any basket or baskets that may become legal for use in the waters of this state under the provisions of this article shall be clearly marked with the name of the licensee operating, using and owning said basket and the license number of said basket.

**Section 9-11-195****DESTRUCTION OF UNMARKED BASKETS.**

All wire baskets not marked in accordance with the provisions of section 9-11-194 shall be destroyed upon discovery by any officer, agent or employee of the Department of Conservation and Natural Resources.

**Section 9-11-196****NONGAME FISH ONLY TO BE TAKEN, ETC., WITH BASKETS;  
RETURN OF GAME FISH TAKEN TO WATERS.**

Only nongame fish may be taken, captured or killed by means of any basket that may become legal for use in this state under the provisions of this article. All game fish taken in such baskets shall immediately be returned to the waters from whence taken with the least possible harm.

**Section 9-11-197****TAKING OF FISH FROM BASKETS, ETC., BY UNLICENSED PERSONS.**

It shall be illegal for any person to raise, inspect or take fish from any wire basket that may be legalized under the provisions of this article unless such person shall hold in his name and have in his possession the license for the particular basket he is raising, inspecting or from which he is taking fish. Nothing in this section shall prevent the raising of such baskets for inspection by any officer, agent or employee of the Department of Conservation and Natural Resources.

**Section 9-11-198****PENALTY FOR VIOLATIONS OF PROVISIONS OF ARTICLE;  
REVOCAION OF LICENSES.**

Any person who violates the provisions of this article shall be guilty of a misdemeanor and, upon conviction, shall be punished as prescribed by law; provided, that the minimum fine shall be not less than \$25.00, and in addition to such punishment the court trying the case shall revoke all basket licenses issued or to be issued to such person for a period of three years from the date of such conviction.

**Regulation 222-2-.46(3) BY LICENSED WIRE BASKET FISHERMEN –**

Any person who possesses a valid wire basket license shall fish such baskets in compliance with Code of Ala. 1975, Section 9-11-190 through Section 9-11-198.

(a) In the following counties a maximum of four (4) wire baskets with a mesh of one (1) inch or larger:

Autauga	Dale	Perry
Barbour	Dallas	Pickens
Bibb	Escambia	Pike
Butler	Fayette	Randolph
Calhoun	Franklin	Russell
Chambers	Greene	St. Clair
Chilton	Hale	Sumter
Choctaw	Henry	Talladega
Clarke	Lamar	Tallapoosa
Cleburne	Lee	Tuscaloosa
Coffee	Lowndes	Walker
Coosa	Marengo	Washington (except Lewis M. Smith Reservoir)
Covington	Marion	Wilcox
Crenshaw	Monroe	

(b) In Elmore County a maximum of three (3) wire baskets with a mesh of one (1) inch or larger may be fished provided that only one (1) wire basket may be fished in Lake Jordan and only two (2) wire baskets may be fished in Lake Martin. Wire baskets may not be used in any other areas of Elmore County except as listed above.

**Regulation 220-2-.70****USE OF WIRE BASKETS IN JEFFERSON COUNTY**

Any person properly licensed under the provisions of Act No. 83-482, Acts of Alabama, Regular Session, 1983, is hereby authorized to take, catch or kill non-game fish from the public waters of Jefferson County (except in municipal parks) by the use of wire baskets having a mesh of one (1) inch or larger. Persons are restricted to four (4) such licenses per person and are restricted to the use of four (4) wire baskets per person and the use of said baskets shall be governed strictly in accordance with the provisions of Act No. 83-482, Acts of Alabama, Regular Session 1983.

**Regulation 220-2-.04L****Wire Basket Fishing Regulation - Shelby County**

Any person who possesses a valid wire basket license may fish such baskets in Shelby County under the provisions as set out by the Code of Alabama 1975, Section 9-11-190 through Section 9-11-198; provided, however, that such baskets shall have a wire mesh of two (2) inches.

This regulation shall become effective at 6:00 a.m. on the 36th day following filing of same with the Legislative Reference Service