

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2218

By: Lucas

AS INTRODUCED

An Act relating to game and fish; amending 29 O.S.

1991, Sections 4-122, 4-123, 5-602 and 7-801, which relate to confinement and release of certain wildlife; providing and adding for penalties for releasing certain wildlife to wilds; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 29 O.S. 1991, Section 4-122, is amended to read as follows:

Section 4-122. A. Individuals possessing the noncommercial wildlife breeders license are authorized to breed and/or raise such noncommercial wildlife for personal uses only. Such personal uses shall include, but not be limited to:

1. Breeding for a hobby;
2. Educational or scientific purposes;
3. Personal consumption;
4. Release on private property, except any bear or cat that will grow to reach the weight of fifty (50) pounds or more; and
5. Care and rehabilitation of sick or injured wildlife.

B. The fees for a license under this section and all renewals of such license shall be Five Dollars (\$5.00).

C. Noncommercial wildlife breeders are required to abide by all provisions of Sections 5-601 and 5-602 of this title, except for those parts referring to the sale of wildlife, which is not authorized under this license.

SECTION 2. AMENDATORY 29 O.S. 1991, Section 4-123, is amended to read as follows:

Section 4-123. Any person convicted of violating the provisions of this ~~act~~ title shall be punished by a fine of not less than ~~Ten Dollars (\$10.00)~~ Fifty Dollars (\$50.00) nor more than ~~Two Hundred Dollars (\$200.00)~~ Five Hundred Dollars (\$500.00) and if applicable, shall have his breeder's license revoked. No such person whose license has been revoked shall be eligible to obtain a new license until after the date on which the revoked license would have expired.

SECTION 3. AMENDATORY 29 O.S. 1991, Section 5-602, is amended to read as follows:

Section 5-602. A. All furbearers, except mink, game mammals, game birds, game fish and minnows raised under the provisions of this Code are hereby required to be confined to the lands or waters described in the application, and such wildlife ~~must~~ shall be confined in such manner as to prohibit mammals, birds and fish belonging to the State of Oklahoma from becoming part of the enterprise.

B. Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction, be fined not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00).

SECTION 4. AMENDATORY 29 O.S. 1991, Section 7-801, is amended to read as follows:

Section 7-801. A. The Commission is authorized to regulate the importation of exotic wildlife. No exotic wildlife may be released into the wilds of Oklahoma without first obtaining written

permission of the Director. Any person releasing such exotic wildlife into the wilds of Oklahoma in violation of the provisions of this section, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Thousand Dollars (\$2,000.00) or by imprisonment in the county jail for a period not to exceed thirty (30) days or by both such fine and imprisonment.

B. Any bear or cat that will grow to reach the weight of fifty (50) pounds or more held or maintained in violation of this section may be confiscated and disposed of by the Wildlife Department or other law enforcement agency after proper notice and hearing except in an emergency situation.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

44-2-7831

KSM