

SHORT TITLE: Game and fish; prohibiting the keeping of bears or cats exceeding thirty-five pounds within one-half mile of residence; emergency.

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

SENATE BILL NO. 991

By: Easley

AS INTRODUCED

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

1991, Section 4-107, as last amended by Section 1, Chapter 151, O.S.L. 1994 (29 O.S. Supp. 1995, Section 4-107), which relates to commercial wildlife breeder's license; prohibiting the keeping of bears or cats exceeding certain weight within certain distance of residence; providing exception; modifying gender references; and declaring an emergency.

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

SECTION 1. AMENDATORY 29 O.S. 1991, Section 4-107, as last amended by Section 1, Chapter 151, O.S.L. 1994 (29 O.S. Supp. 1995, Section 4-107), is amended to read as follows:

Section 4-107. A. Except as otherwise provided for in this title, no person may breed, possess or raise native wildlife, except fish, amphibians, aquatic reptiles or aquatic invertebrates, for commercial purposes without having first procured a license for such from the Director.

B. No person licensed under this section may sell cats specified in subsection D of this section or bears to any person who does not possess a commercial wildlife breeder's license or noncommercial wildlife breeder's license.

C. Such license may be issued to any person whom the Director believes to be acting in good faith, and whom ~~he~~ the Director believes does not intend to use such license for the purpose of violating any of the laws of the State of Oklahoma, and who proves that the brood stock ~~he uses~~ to be used will be obtained in a lawful manner.

D. Without exception, any person shall be licensed under this section who keeps or maintains on premises any bear or cat that will grow to reach the weight of fifty (50) pounds or more and shall at all times keep such wildlife confined, controlled and restrained in such manner so the life, limb or property of any person lawfully entering such premises shall not be endangered.

E. No person licensed under the provisions of this section shall keep any bear or cat weighing thirty-five (35) pounds or more within one-half (1/2) mile of another's residence; provided, however, any person in possession of such bear or cat weighing thirty-five (35) pounds or more prior to the effective date of this act shall be exempt from the provisions of this subsection.

F. The fees for a license under this section, and all renewals of such license, shall be Forty-eight Dollars (\$48.00).

~~F.~~ G. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than One Hundred Dollars (\$100.00); and, if applicable, shall have his or her wildlife 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 2. 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.

