

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

HOUSE BILL HB2180

By: Smith (Dale)

AS INTRODUCED

An Act relating to game and fish; amending 29 O.S. 1991, Section 5-411, as amended by Section 3, Chapter 135, O.S.L. 1996 (29 O.S. Supp. 1999, Section 5-411), which relates to hunting, selling or buying certain wildlife or parts of wildlife; clarifying certain statutory cites; clarifying name of certain wildlife; expanding application of provision allowing the antlers or horns of certain wildlife to be sold or traded; and providing an effective date.

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

SECTION 1. AMENDATORY 29 O.S. 1991, Section 5-411, as amended by Section 3, Chapter 135, O.S.L. 1996 (29 O.S. Supp. 1999, Section 5-411), is amended to read as follows:

Section 5-411. A. 1. No person, including but not limited to persons licensed for commercial hunting or wildlife breeders, may hunt, chase, capture, shoot, shoot at, wound, attempt to take or take, attempt to kill or kill, or slaughter an antelope, moose, whitetail or mule deer, bear, elk, mountain lion, rocky mountain bighorn sheep, wild turkey, or any subspecies except in open season under Section 5-401 of this ~~Code~~ title.

2. No person shall sell, offer for sale or buy or offer to buy an antelope, moose, whitetail or mule deer, bear, elk, mountain lion, rocky mountain bighorn sheep, wild turkey, or any subspecies or any parts thereof, except as otherwise provided by rules prescribed by the Oklahoma Wildlife Conservation Commission or by law.

3. The provisions of this subsection shall not be construed to prevent a hide, antlers or horns from a legally taken whitetail or mule deer, elk, moose, antelope or Rocky Mountain bighorn sheep from being sold or traded by a person who legally harvested or who legally possesses the hide, antlers or horns. Any antlers or horns sold or traded pursuant to this subsection shall have been removed from the skull of the ~~deer~~ animal in such a way as to leave no portion of the skull attached.

B. 1. It shall be unlawful for any person to have in his possession any meat, head, hide or any part of the carcass of any wildlife not legally taken.

2. Any meat, head, hide or any part of the carcass of any wildlife not legally taken shall be subject to immediate seizure by a game warden.

3. The provisions of this subsection shall not apply to privately owned, domesticated animals so designated by the Oklahoma Wildlife Conservation Commission.

C. Persons excepted from the ~~above~~ provisions of this section are:

1. Department employees when in the performance of their duties; and

2. Authorized agents when appointed under Section 3-202 of this title.

SECTION 2. This act shall become effective November 1, 2000.

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