

SB 478

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THE STATE SENATE
Tuesday, February 27, 2001

Senate Bill No. 478
As Amended

SENATE BILL NO. 478 - By: SHURDEN of the Senate and SMITH (Dale) of the House.

[game and fish - license usage - effective date]

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

SECTION 1. AMENDATORY 29 O.S. 1991, Section 4-101, as amended by Section 1, Chapter 213, O.S.L. 1998 (29 O.S. Supp. 2000, Section 4-101), is amended to read as follows:

Section 4-101. A. All licenses and permits issued by the Director of Wildlife Conservation, the Department of Wildlife Conservation or by any of its agents shall be used only in conformity with the provisions of this title and the rules promulgated by the ~~Oklahoma~~ Wildlife Conservation Commission. The fee for all licenses and permits as established in this title may be adjusted by the Wildlife Conservation Commission as provided for in Section 2 of this act.

B. All persons making application for any licenses required by this section shall produce a valid license to operate a motor vehicle or other positive proof of identification, age and residency, and any such license issued shall show such data as well as the date and time of issuance.

1 C. All licenses are nontransferable. No person shall alter,
2 change, lend or transfer any license. No person shall use or borrow
3 a license which has not been issued to that person by the Director,
4 the Department or by any of its agents pursuant to the provisions of
5 this section.

6 D. No person may engage in activities requiring a license
7 without that person's carrying such license on their person and
8 producing the same for an inspection upon the demand of any Oklahoma
9 citizen or game warden.

10 E. Any person required to produce a license must also identify
11 themselves as the person to whom such license was issued, and
12 failure or refusal to comply shall be deemed prima facie evidence of
13 a violation of this section.

14 F. Unless otherwise provided in this Code:

15 1. All licenses shall terminate December 31 for the year
16 issued; and

17 2. Any person convicted of violating any of the provisions of
18 this title may have any or all licenses held by that person or the
19 privilege of applying for, purchasing or exercising the benefits
20 conferred by the licenses revoked by the Department in accordance
21 with rules promulgated by the Commission or by a court of competent
22 jurisdiction for a period of not less than one (1) year. For
23 purposes of this paragraph, a court conviction, a plea of guilty, a

1 plea of nolo contendere, the imposition of a deferred or suspended
2 sentence by a court, or forfeiture of bond shall be deemed a
3 conviction.

4 G. Should licenses provided under Sections 4-110, 4-112 or 4-
5 113 of this title be lost or destroyed, duplicates will be issued by
6 the Department at a fee of One Dollar and fifty cents (\$1.50).

7 H. Upon harvesting any whitetail or mule deer, or any other
8 wildlife where the hunter, according to Commission rules, is
9 required to check the wildlife in at a Department check station, the
10 taker of the wildlife shall:

11 1. Securely attach the name and license number to the carcass
12 of the wildlife;

13 2. Transport to and check in the carcass of the wildlife at the
14 nearest hunter check station that is open or with an authorized
15 Department employee; and

16 3. Not remove evidence of the sex of the animal until after the
17 carcass of the animal has been checked in.

18 I. It shall be unlawful for any license or permit holder to
19 knowingly make a false statement or give false information to any
20 person operating an authorized hunter check station or to an
21 authorized Department employee when complying with the provisions of
22 subsection H of this section. Information which may be collected at
23 a Department check station shall include but not be limited to the

1 name, address, license or permit number and signature of the taker,
2 the date, time, county, method or weapon of the kill, sex and weight
3 of carcass, whether or not the animal was taken on public hunting
4 land and if so in what area, or any other information which may be
5 required by the Commission.

6 J. Any person convicted of violating the provisions of this
7 section or of making a false statement or giving any false
8 information in order to acquire any license or permit, pursuant to
9 the provisions of this section, shall be punishable by a fine of not
10 less than Twenty-five Dollars (\$25.00) nor more than One Hundred
11 Dollars (\$100.00), or by imprisonment in the county jail for a
12 period not to exceed ten (10) days, or by both such fine and
13 imprisonment.

14 K. Any person who has had their license privileges revoked
15 shall not be entitled to purchase, apply for, or exercise the
16 benefits conferred by any license until the revocation period has
17 expired or the person has obtained approval from the Director. Any
18 person violating the provisions of this subsection, upon conviction,
19 shall be punished by a fine of not more than Five Hundred Dollars
20 (\$500.00), or by imprisonment in a county jail for a term of not
21 more than ninety (90) days or by both the fine and imprisonment.
22 Upon conviction under this subsection, the previously granted

1 license revocation period shall be extended by two (2) additional
2 years.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 4-101.1 of Title 29, unless
5 there is created a duplication in numbering, reads as follows:

6 Beginning January 1, 2002, the Wildlife Conservation Commission
7 is authorized to annually adjust the fees for all licenses and
8 permits provided for in this title which are issued by the Director
9 of Wildlife Conservation, the Department of Wildlife Conservation,
10 or by any of its agents. Each year, the Commission may adjust the
11 fees for all or any of the licenses and permits in an amount not to
12 exceed either that year's change in the Consumer Price Index
13 compiled by the Bureau of Labor Statistics, United States Department
14 of Labor, or five percent (5%), which ever amount is **less**.

15 SECTION 3. This act shall become effective November 1, 2001.

16 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 2-21-01 - DO PASS,
17 As Amended and Coauthored.