

EHB 1565

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THE STATE SENATE
Monday, April 7, 2003

ENGROSSED

House Bill No. 1565

ENGROSSED HOUSE BILL NO. 1565 - By: BOREN, BLACKBURN, DEUTSCHENDORF, ERWIN, HAMILTON, HUTCHISON, LERBLANCE, MILLER (Ray), MORGAN (Danny), ROAN, SMITH (Dale) and WALKER of the House and SHURDEN of the Senate.

An Act relating to game and fish; amending 29 O.S. 2001, Section 7-503, which relates to the prohibition on buying or selling certain fish or wildlife; allowing for the buying and selling of squirrel fur or pelt; and providing an effective date.

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

SECTION 1. AMENDATORY 29 O.S. 2001, Section 7-503, is amended to read as follows:

Section 7-503. A. Except as otherwise provided for by law, no person may buy, barter, trade, sell or offer, or expose for sale all or any part of any fish or wildlife or the nest or eggs of any bird, protected by law. The carcasses or any parts thereof of legally acquired furbearing animals or coyotes may be purchased, bartered, traded, sold or offered for sale. The fur or pelt of legally acquired squirrels may be purchased, bartered, traded, sold or offered for sale.

B. Persons licensed to propagate or sell fish or wildlife pursuant to the provisions of the Oklahoma Wildlife Conservation Code and persons who have documentation of legally purchased fish or

(Bold face denotes Committee Amendments)

1 wildlife or parts thereof for resale are exempt from the provisions
2 of this section.

3 C. All wildlife or parts thereof seized pursuant to the
4 provisions of this section and determined to be unfit for release in
5 a suitable locale shall be sold. The proceeds from said sale shall
6 be deposited in the Wildlife Conservation Fund.

7 D. No person shall buy, barter, trade, or sell, within this
8 state, any furbearing animal, game animal, or game fish, or any part
9 thereof, acquired from a source within or outside of this state
10 unless at the time and place of each such sale, the seller shall
11 possess an invoice signed by the person from whom said seller
12 purchased said animals or fish, which shall contain a statement of
13 the source from which said animals or fish were acquired, and the
14 species and quantity of each species, or parts thereof, delivered to
15 said seller.

16 E. Persons who have obtained legal possession of wildlife or
17 parts of wildlife after being given to the person for taxidermic
18 preparation or processing of the meat for consumption shall be
19 permitted to dispose of such, unless otherwise prohibited by law,
20 under rules established by the Oklahoma Wildlife Conservation
21 Commission.

22 F. The animal, bird, fish, or part thereof shall be confiscated
23 by the arresting authority and forwarded to the Commission to be

1 held until the matter is resolved. If a person violating the
2 provisions of this section is convicted, the Commission shall retain
3 and properly dispose of the confiscated animal, bird, fish, or part
4 thereof. If a person accused of violating the provisions of this
5 section is acquitted, the confiscated animal, bird, fish, or part
6 thereof shall be returned to the possession of the person from whom
7 it was confiscated.

8 G. The first violation of any of the provisions of this section
9 shall be punishable by a fine of not less than One Hundred Dollars
10 (\$100.00), nor more than Five Hundred Dollars (\$500.00), or by
11 imprisonment in the county jail for a period not less than ten (10)
12 days nor more than sixty (60) days, or by both said fine and
13 imprisonment.

14 Subsequent violations of the provisions of this section shall be
15 punishable by a fine of not less than One Thousand Dollars
16 (\$1,000.00), or by imprisonment in the county jail for a period not
17 less than ten (10) days nor more than sixty (60) days, or by both
18 said fine and imprisonment.

19 SECTION 2. This act shall become effective November 1, 2003.

20 COMMITTEE REPORT BY: COMMITTEE ON TOURISM & WILDLIFE, dated 4-3-03 -
21 DO PASS.