

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1463 By: Williamson of the Senate
3 and
4 Richardson of the House
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7 (game and fish - computer-assisted remote control
8 hunting - penalties - license - codification -
9 emergency)

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11 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
entire bill and insert

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13 "An Act relating to game and fish; amending 29 O.S.
2001, Section 5-201, which relates to the means of
14 taking wildlife; clarifying statutory language;
prohibiting the hunting of wildlife by computer-
15 assisted remote control hunting; prohibiting the
selling or providing of facilities for the hunting
16 of wildlife by computer-assisted remote control
hunting; making certain exceptions; providing
17 penalties; authorizing the revocation of certain
licenses for violations; establishing fees for
18 reinstatement of a revoked license; defining certain
term; providing for codification; and declaring an
19 emergency.

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

23 SECTION 1. AMENDATORY 29 O.S. 2001, Section 5-201, is
24 amended to read as follows:

1 Section 5-201. A. Except as otherwise provided for in this
2 section, no person may utilize at any time, for the purpose of
3 killing or capturing any game mammal, game bird or nongame bird, the
4 following means:

5 1. Any trap, net, snare, cage, pitfall, baited hook or similar
6 device;

7 2. Any drug, poison, narcotic, explosive or similar substance;

8 3. Any swivel or punt gun of greater calibre than ten (10)
9 gauge;

10 4. Any device which generates electricity; or

11 5. Any device which noticeably suppresses noise from a firearm,
12 commonly known as a silencer.

13 B. Except as otherwise provided for in this section, no person
14 shall hunt wildlife by computer-assisted remote control hunting.

15 C. Except as otherwise provided for in this section, no person
16 shall engage in any activity that provides, sells, offers for sale,
17 assists in, or provides facilities for computer-assisted remote
18 control hunting of wildlife.

19 D. The following persons shall be exempt from the prohibition
20 in subsection A of this section:

21 1. The Director, departmental employees and authorized agents
22 when capturing wildlife for propagation or management purposes;

23 2. Any person, group or governmental agency the Director may by
24 written permit authorize, where any species of nongame birds are

1 causing a nuisance or undue economic loss, as may be determined by
2 the Director. Such permit shall state the method of control and
3 specific procedures and conditions as may be deemed appropriate by
4 the Director;

5 3. Any person possessing a scientific purposes license under
6 Section 4-118 of this title; or

7 4. Employees of the ~~State~~ Oklahoma Department of Agriculture,
8 Food, and Forestry Wildlife Services Division and the United States
9 Department of Agriculture Wildlife Services while engaged in
10 wildlife management activities for the protection of agriculture,
11 property, human health and safety and natural resources.

12 ~~C.~~ E. A person shall be exempt from the prohibition in
13 subsection B of this section if the person is permanently physically
14 disabled so that the person is physically incapable of using a
15 firearm, crossbow, or conventional bow as certified in writing by a
16 physician licensed to practice medicine. A person who has received
17 certification as provided for in this paragraph shall have in their
18 possession written evidence of the certification while in the field
19 hunting.

20 F. A person shall be exempt from the prohibition in subsection
21 C of this section if the person is engaged in providing facilities
22 for, assisting in, selling, or offering for sale a computer-assisted
23 remote control hunting activity for a person who is physically
24 disabled as described in subsection E of this section. The

1 physically disabled person shall be physically present where the
2 hunting activity is occurring and be in control and operating the
3 computer-assisted remote control means to take wildlife.

4 G. 1. Any person convicted of violating the provisions of
5 subsection A of this section shall be punished by a fine of not less
6 than One Hundred Dollars (\$100.00) nor more than Five Hundred
7 Dollars (\$500.00).

8 2. Any person convicted of violating the provisions of
9 subsection B or C of this section shall be punished by a fine of not
10 less than Two Hundred Fifty Dollars (\$250.00) nor more than Five
11 Hundred Dollars (\$500.00) or by imprisonment in the county jail not
12 exceeding one (1) year, or by both the fine and imprisonment. In
13 addition, the court may order that the hunting or fishing license
14 and privileges of any person convicted of violating the provisions
15 of subsection B or C of this section be revoked for a period of not
16 less than one (1) year but not exceeding five (5) years. The cost
17 of reinstating a hunting or fishing license revoked pursuant to this
18 subsection for residents shall be Two Hundred Dollars (\$200.00) for
19 each license and for nonresidents shall be Five Hundred Dollars
20 (\$500.00) for each license. The reinstatement fee shall be in
21 addition to any other fees required for the hunting or fishing
22 license.

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