

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SUBCOMMITTEE RECOMMENDATION
4 FOR

5 HOUSE BILL NO. 2524

6 By: Glenn

7 SUBCOMMITTEE RECOMMENDATION

8 An Act relating to game and fish; amending 29 O.S.
9 2001, Section 4-112, as last amended by Section 1,
10 Chapter 35, O.S.L. 2007 (29 O.S. Supp. 2007, Section
11 4-112), which relates to hunting licenses;
12 establishing a nonresident college student deer and
13 turkey hunting license; establishing fee; specifying
14 eligibility qualifications; making license use
15 subject to certain restrictions and regulations; and
16 providing an effective date.

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

18 SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-112, as
19 last amended by Section 1, Chapter 35, O.S.L. 2007 (29 O.S. Supp.
20 2007, Section 4-112), is amended to read as follows:

21 Section 4-112. A. Except as otherwise provided for in the
22 Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae
23 Act, no person may hunt, pursue, trap, harass, catch, kill, take or
24 attempt to take in any manner, use, have in possession, sell, or
transport all or any portion of any wildlife except fish, without
having first procured a license from the Department of Wildlife

1 Conservation. The Wildlife Conservation Commission shall designate
2 a consecutive Saturday and Sunday in September of each year as free
3 hunting days in which residents of this state may hunt without first
4 procuring a hunting license pursuant to the provisions of this
5 section.

6 B. Pursuant to the provisions of this Code, persons excepted
7 from the license requirement of this section are:

8 1. Legal residents of Oklahoma under sixteen (16) years of age;

9 2. Legal residents of Oklahoma sixty-four (64) years of age or
10 older provided they have obtained a senior citizen's license
11 pursuant to the provisions of Section 4-133 of this title;

12 3. Legal residents born on or before January 1, 1923;

13 4. Legal resident veterans having a disability of sixty percent
14 (60%) or more;

15 5. Legal resident owners or tenants who hunt on land owned or
16 leased by them;

17 6. Every citizen of Oklahoma serving in a branch of the United
18 States Armed Forces on properly authorized leave from military duty
19 having in his or her possession proper written evidence showing such
20 authorized leave and serving outside the State of Oklahoma at the
21 time of the hunting;

22 7. Any nonresident under fourteen (14) years of age;

23 8. Legal residents having a proven disability which renders
24 them nonambulatory and confines them to a wheelchair, as certified

1 by a physician licensed in this state or in any state which borders
2 this state;

3 9. Any person under eighteen (18) years of age who is in the
4 physical custody of a child care facility as defined by Section 402
5 of Title 10 of the Oklahoma Statutes; and

6 10. Any person hunting, pursuing, trapping, harassing,
7 catching, killing, taking, or attempting to take in any manner any
8 species of rattlesnake during an organized rattlesnake-hunting event
9 or festival and who has a rattlesnake permit issued pursuant to
10 Section 4-143 of this title.

11 C. Except as otherwise provided for in this Code, the fees for
12 licenses listed in this subsection are:

13 1. a. Annual hunting licenses for nonresidents hunting game
14 other than deer, antelope, or elk, One Hundred Thirty-
15 six Dollars (\$136.00); for deer, Two Hundred Dollars
16 (\$200.00); for antelope and elk, Three Hundred Dollars
17 (\$300.00). There shall be no exemptions for deer,
18 antelope, elk, or turkey. Any nonresident hunting in
19 a big game or combination big game and upland game
20 commercial hunting area shall be required to have an
21 annual nonresident hunting license pursuant to this
22 subparagraph, and the fee shall be One Hundred Thirty-
23 six Dollars (\$136.00). For a five-day nonresident
24 hunting license to hunt game other than deer,

1 antelope, elk, turkey, or pheasant, the fee shall be
2 Forty-one Dollars and fifty cents (\$41.50).

3 b. Annual combination hunting licenses for nonresidents
4 hunting one antlered and one antlerless deer, Two
5 Hundred Fifty Dollars (\$250.00); for nonresidents
6 hunting an additional antlerless deer, Fifty Dollars
7 (\$50.00) which shall be valid only on private lands
8 not managed by the Department of Wildlife
9 Conservation.

10 c. Of the amount of monies collected pursuant to the
11 provisions of subparagraphs a and b this paragraph,
12 Five Dollars (\$5.00) of the license fee for hunting
13 game other than deer, antelope and elk, Five Dollars
14 (\$5.00) of the license fee for hunting deer, Five
15 Dollars (\$5.00) of the license fee for hunting
16 antelope and elk and Two Dollars and fifty cents
17 (\$2.50) of the five-day hunting license shall be
18 deposited in the Wildlife Land Acquisition Fund
19 created pursuant to the provisions of Section 4-132 of
20 this title.

21 d. Annual hunting licenses for nonresident college
22 students, as defined in this subparagraph, hunting
23 deer or turkey, the fee for each shall be equal to the
24 fee for a resident deer or turkey hunting license. In

1 order to qualify for the license issued pursuant to
2 this subparagraph, a nonresident college student shall
3 be twenty-five (25) years of age or less and enrolled
4 as a full-time student at an institution within The
5 Oklahoma State System of Higher Education or at a
6 private institution of higher learning located within
7 this state at the time of obtaining the license. Use
8 of a license issued pursuant to this subparagraph is
9 subject to all other restrictions provided by statute
10 and regulations of the Wildlife Conservation
11 Commission.

12 2. Disability hunting license, residents of this state for at
13 least six (6) months and who are receiving Social Security
14 Disability benefits, Supplemental Security Income benefits or
15 disability benefits under the Railroad Retirement Act, 45 U.S.C.A.,
16 Section 231a or residents who are ~~one hundred percent (100%)~~ one-
17 hundred-percent disabled and are receiving disability payments from
18 the Multiple Injury Trust Fund pursuant to Section 173 of Title 85
19 of the Oklahoma Statutes, may purchase a disability hunting license
20 from the Director for Ten Dollars (\$10.00) for five (5) years.

21 3. Deer gun hunting license, residents, Nineteen Dollars
22 (\$19.00). There shall be no exemptions except:

23 a. residents sixty-four (64) years of age or older
24 provided such residents have obtained a senior

1 citizen's license pursuant to the provisions of
2 Section 4-133 of this title,

3 b. legal residents of Oklahoma under eighteen (18) years
4 of age provided such residents shall be required to
5 pay a deer gun hunting license fee of Nine Dollars
6 (\$9.00),

7 c. residents with proper certification from the United
8 States Department of Veterans Affairs or its
9 successor, certifying that the person is a disabled
10 veteran in receipt of compensation at the one-hundred-
11 percent rate shall be exempt from the fees specified
12 pursuant to this paragraph, and

13 d. residents hunting in big game or combination big game
14 and upland game commercial hunting areas shall be
15 exempt from the fees specified pursuant to this
16 paragraph.

17 4. Deer archery hunting license, residents, Nineteen Dollars
18 (\$19.00) and for legal residents of Oklahoma under eighteen (18)
19 years of age, Nine Dollars (\$9.00). There shall be no exemptions
20 except residents with proper certification from the United States
21 Department of Veterans Affairs or its successor, certifying that the
22 person is a disabled veteran in receipt of compensation at the one-
23 hundred-percent rate and residents hunting in big game or

1 combination big game and upland game commercial hunting areas shall
2 be exempt from the fees specified pursuant to this paragraph.

3 5. Primitive firearms license, residents, Nineteen Dollars
4 (\$19.00) and for legal residents of Oklahoma under eighteen (18)
5 years of age, Nine Dollars (\$9.00). There shall be no exemptions
6 except residents with proper certification from the United States
7 Department of Veterans Affairs or its successor, certifying that the
8 person is a disabled veteran in receipt of compensation at the one-
9 hundred-percent rate and residents hunting in big game or
10 combination big game and upland game commercial hunting areas shall
11 be exempt from the fees specified pursuant to this paragraph.

12 6. Elk or antelope hunting license, residents, Fifty Dollars
13 (\$50.00). There shall be no exemptions except residents hunting in
14 big game or combination big game and upland game commercial hunting
15 areas shall be exempt from the fees specified pursuant to this
16 paragraph.

17 7. Bonus, special or second deer gun hunting license,
18 residents, Nineteen Dollars (\$19.00). No exemptions except:

19 a. residents sixty-five (65) years of age or older
20 provided such residents have obtained a senior
21 citizen's license pursuant to the provisions of
22 Section 4-133 of this title,

23 b. persons with proper certification from the United
24 States Department of Veterans Affairs or its

1 successor, certifying that the person is a disabled
2 veteran in receipt of compensation at the one-hundred-
3 percent rate shall be exempt from the fees specified
4 pursuant to this paragraph, and

5 c. residents hunting in big game or combination big game
6 and upland game commercial hunting areas shall be
7 exempt from the fees specified pursuant to this
8 paragraph.

9 D. The fees for hunting licenses, except as provided for in the
10 Oklahoma Wildlife Conservation Code, are:

11 1. For legal residents eighteen (18) years of age and older,
12 Nineteen Dollars (\$19.00); for legal residents sixteen (16) or
13 seventeen (17) years of age, Four Dollars (\$4.00); and

14 2. Commercial hunting area small game ten-day permit, resident
15 or nonresident, Five Dollars (\$5.00).

16 E. The provisions of this section shall not be construed to
17 require a hunting license, resident or nonresident, of any person
18 merely because the person participates, as owner or handler of an
19 entry, as an official, or as a spectator in the conduct of a field
20 trial or performance test of dogs, whether a resident or nonresident
21 of the State of Oklahoma. No license to hunt shall be required of
22 any person engaged in training or working dogs, provided that person
23 is in no way engaged in hunting and does not take or attempt to take
24 in any manner any game.

1 F. 1. Any person arrested for hunting game other than deer,
2 antelope, elk, or turkey without a valid hunting license as required
3 by the provisions of subsection A of this section may purchase a
4 substitute temporary thirty-day license from the arresting game
5 warden in lieu of posting bond. Proof of hunter safety
6 certification will not be required for the temporary substitute
7 license. The fee for a substitute license purchased pursuant to the
8 provisions of this subsection shall be:

- 9 a. for legal residents, Fifty Dollars (\$50.00), and
- 10 b. for nonresidents, One Hundred Forty-five Dollars
11 (\$145.00).

12 2. Except as otherwise provided for by this subsection, the
13 fees from licenses purchased pursuant to the provisions of this
14 subsection shall be deposited in the Wildlife Conservation Fund to
15 be used exclusively for developing, managing, preserving, and
16 protecting wildlife and wildlife habitat.

17 G. Any person producing proof in court that a current hunting
18 license issued by the Department of Wildlife Conservation to that
19 person was in force at the time of the alleged offense shall be
20 entitled to dismissal of a charge of violating this section upon
21 payment of court costs; however, if proof of hunting license is
22 presented to the court or district attorney within seventy-two (72)
23 hours after the violation, the charge shall be dismissed without
24 payment of court costs.

1 H. Unless a substitute license is purchased as provided for by
2 subsection F of this section, any resident convicted of violating
3 the provisions of this section shall be punished by the imposition
4 of a fine of not less than Twenty-five Dollars (\$25.00) nor more
5 than Two Hundred Dollars (\$200.00), or by imprisonment in the county
6 jail for a period not to exceed thirty (30) days, or by both.

7 I. Unless a substitute license is purchased as provided for by
8 subsection F of this section, any nonresident convicted of violating
9 the provisions of this section shall be punished by the imposition
10 of a fine of not less than Two Hundred Dollars (\$200.00) nor more
11 than Five Hundred Dollars (\$500.00), or by imprisonment in the
12 county jail for a period not to exceed six (6) months, or by both.

13 SECTION 2. This act shall become effective November 1, 2008.

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