

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 1463

6 By: Williamson

7 COMMITTEE SUBSTITUTE

8 An Act relating to game and fish; amending 29 O.S.
9 2001, Section 5-201, which relates to the means of
10 taking wildlife; clarifying statutory language;
11 prohibiting the hunting of wildlife by computer-
12 assisted remote control hunting; prohibiting the
13 selling or providing of facilities for the hunting of
14 wildlife by computer-assisted remote control hunting;
15 providing penalties; authorizing the revocation of
16 certain licenses for violations; establishing fees
17 for reinstatement of a revoked license; defining
18 certain term; providing for codification; and
19 declaring an emergency.

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

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

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

- 1 1. Any trap, net, snare, cage, pitfall, baited hook or similar
2 device;
- 3 2. Any drug, poison, narcotic, explosive or similar substance;
- 4 3. Any swivel or punt gun of greater calibre than ten (10)
5 gauge;
- 6 4. Any device which generates electricity; or
- 7 5. Any device which noticeably suppresses noise from a firearm,
8 commonly known as a silencer.

9 B. No person shall hunt wildlife by computer-assisted remote
10 control hunting.

11 C. No person shall engage in any activity that provides, sells,
12 offers for sale, assists in, or provides facilities for computer-
13 assisted remote control hunting of wildlife.

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

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

18 2. Any person, group or governmental agency the Director may by
19 written permit authorize, where any species of nongame birds are
20 causing a nuisance or undue economic loss, as may be determined by
21 the Director. Such permit shall state the method of control and
22 specific procedures and conditions as may be deemed appropriate by
23 the Director;

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

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

8 ~~C.~~ E. 1. Any person convicted of violating the provisions of
9 subsection A of this section shall be punished by a fine of not less
10 than One Hundred Dollars (\$100.00) nor more than Five Hundred
11 Dollars (\$500.00).

12 2. Any person convicted of violating the provisions of
13 subsection B or C of this section shall be punished by a fine of not
14 less than Two Hundred Fifty Dollars (\$250.00) nor more than Five
15 Hundred Dollars (\$500.00) or by imprisonment in the county jail not
16 exceeding one (1) year, or by both the fine and imprisonment. In
17 addition, the court may order that the hunting or fishing license
18 and privileges of any person convicted of violating the provisions
19 of subsection B or C of this section be revoked for a period of not
20 less than one (1) year but not exceeding five (5) years. The cost
21 of reinstating a hunting or fishing license revoked pursuant to this
22 subsection for residents shall be Two Hundred Dollars (\$200.00) for
23 each license and for nonresidents shall be Five Hundred Dollars
24 (\$500.00) for each license. The reinstatement fee shall be in

1 addition to any other fees required for the hunting or fishing
2 license.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 2-106.1a of Title 29, unless
5 there is created a duplication in numbering, reads as follows:

6 "Computer-assisted remote control hunting" means the use of a
7 computer or any other device, equipment, or software to remotely
8 control the hunting, taking, or attempt to take wildlife.

9 SECTION 3. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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