

1 ENGROSSED HOUSE
2 BILL NO. 3164

By: Blackwell of the House

3 and

4 Myers of the Senate

5
6
7 An Act relating to game and fish; amending 29 O.S.
8 2001, Section 4-112, as last amended by Section 1,
9 Chapter 35, O.S.L. 2007 (29 O.S. Supp. 2007, Section
10 4-112), which relates to hunting licenses; changing
11 five-day nonresident hunting license to include
12 pheasant; changing fee for the five-day nonresident
13 hunting license; and providing an effective date.

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

15 SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-112, as
16 last amended by Section 1, Chapter 35, O.S.L. 2007 (29 O.S. Supp.
17 2007, Section 4-112), is amended to read as follows:

18 Section 4-112. A. Except as otherwise provided for in the
19 Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae
20 Act, no person may hunt, pursue, trap, harass, catch, kill, take or
21 attempt to take in any manner, use, have in possession, sell, or
22 transport all or any portion of any wildlife except fish, without
23 having first procured a license from the Department of Wildlife
24 Conservation. The Wildlife Conservation Commission shall designate
a consecutive Saturday and Sunday in September of each year as free

1 hunting days in which residents of this state may hunt without first
2 procuring a hunting license pursuant to the provisions of this
3 section.

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

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

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

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

11 4. Legal resident veterans having a disability of sixty percent
12 (60%) or more;

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

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

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

21 8. Legal residents having a proven disability which renders
22 them nonambulatory and confines them to a wheelchair, as certified
23 by a physician licensed in this state or in any state which borders
24 this state;

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

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

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

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

1 be ~~Forty one Dollars and fifty cents (\$41.50)~~ Sixty-
2 nine Dollars (\$69.00).

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

20 2. Disability hunting license, residents of this state for at
21 least six (6) months and who are receiving Social Security
22 Disability benefits, Supplemental Security Income benefits or
23 disability benefits under the Railroad Retirement Act, 45 U.S.C.A.,
24 Section 231a or residents who are ~~one hundred percent (100%)~~ one-

1 hundred-percent disabled and are receiving disability payments from
2 the Multiple Injury Trust Fund pursuant to Section 173 of Title 85
3 of the Oklahoma Statutes, may purchase a disability hunting license
4 from the Director for Ten Dollars (\$10.00) for five (5) years.

5 3. Deer gun hunting license, residents, Nineteen Dollars
6 (\$19.00). There shall be no exemptions except:

7 a. residents sixty-four (64) years of age or older
8 provided such residents have obtained a senior
9 citizen's license pursuant to the provisions of
10 Section 4-133 of this title,

11 b. legal residents of Oklahoma under eighteen (18) years
12 of age provided such residents shall be required to
13 pay a deer gun hunting license fee of Nine Dollars
14 (\$9.00),

15 c. residents with proper certification from the United
16 States Department of Veterans Affairs or its
17 successor, certifying that the person is a disabled
18 veteran in receipt of compensation at the one-hundred-
19 percent rate shall be exempt from the fees specified
20 pursuant to this paragraph, and

21 d. residents hunting in big game or combination big game
22 and upland game commercial hunting areas shall be
23 exempt from the fees specified pursuant to this
24 paragraph.

1 4. Deer archery hunting license, residents, Nineteen Dollars
2 (\$19.00) and for legal residents of Oklahoma under eighteen (18)
3 years of age, Nine Dollars (\$9.00). There shall be no exemptions
4 except residents with proper certification from the United States
5 Department of Veterans Affairs or its successor, certifying that the
6 person is a disabled veteran in receipt of compensation at the one-
7 hundred-percent rate and residents hunting in big game or
8 combination big game and upland game commercial hunting areas shall
9 be exempt from the fees specified pursuant to this paragraph.

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

19 6. Elk or antelope hunting license, residents, Fifty Dollars
20 (\$50.00). There shall be no exemptions except residents hunting in
21 big game or combination big game and upland game commercial hunting
22 areas shall be exempt from the fees specified pursuant to this
23 paragraph.

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

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

7 b. persons 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 c. 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 D. The fees for hunting licenses, except as provided for in the
18 Oklahoma Wildlife Conservation Code, are:

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

22 2. Commercial hunting area small game ten-day permit, resident
23 or nonresident, Five Dollars (\$5.00).
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1 E. The provisions of this section shall not be construed to
2 require a hunting license, resident or nonresident, of any person
3 merely because the person participates, as owner or handler of an
4 entry, as an official, or as a spectator in the conduct of a field
5 trial or performance test of dogs, whether a resident or nonresident
6 of the State of Oklahoma. No license to hunt shall be required of
7 any person engaged in training or working dogs, provided that person
8 is in no way engaged in hunting and does not take or attempt to take
9 in any manner any game.

10 F. 1. Any person arrested for hunting game other than deer,
11 antelope, elk, or turkey without a valid hunting license as required
12 by the provisions of subsection A of this section may purchase a
13 substitute temporary thirty-day license from the arresting game
14 warden in lieu of posting bond. Proof of hunter safety
15 certification will not be required for the temporary substitute
16 license. The fee for a substitute license purchased pursuant to the
17 provisions of this subsection shall be:

- 18 a. for legal residents, Fifty Dollars (\$50.00), and
- 19 b. for nonresidents, One Hundred Forty-five Dollars
20 (\$145.00).

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

3 G. Any person producing proof in court that a current hunting
4 license issued by the Department of Wildlife Conservation to that
5 person was in force at the time of the alleged offense shall be
6 entitled to dismissal of a charge of violating this section upon
7 payment of court costs; however, if proof of hunting license is
8 presented to the court or district attorney within seventy-two (72)
9 hours after the violation, the charge shall be dismissed without
10 payment of court costs.

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

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

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