

1 ENGROSSED HOUSE
2 BILL NO. 3268

By: Harrison of the House

and

Rabon of the Senate

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7 An Act relating to game and fish; amending 29 O.S.
8 2001, Section 3-201, as last amended by Section 12,
9 Chapter 138, O.S.L. 2006 (29 O.S. Supp. 2007, Section
10 3-201), which relates to the Oklahoma Wildlife
11 Conservation Code; extending jurisdiction of game
12 wardens to turnpikes; and providing an effective
13 date.

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

15 SECTION 1. AMENDATORY 29 O.S. 2001, Section 3-201, as
16 last amended by Section 12, Chapter 138, O.S.L. 2006 (29 O.S. Supp.
17 2007, Section 3-201), is amended to read as follows:

18 Section 3-201. A. All things being equal, veterans of World
19 War II, the Korean, the Vietnam and Persian Gulf Wars shall be
20 appointed as game wardens when vacancies occur.

21 B. All persons appointed game wardens shall be peace officers
22 and have the full powers of peace officers of the State of Oklahoma
23 in the enforcement of the provisions of this Code and are authorized
24 to:

1 1. Enforce all state laws on Department-owned or Department-
2 managed lands, and on all Oklahoma turnpikes maintained and operated
3 by the Oklahoma Turnpike Authority;

4 2. Enforce all other laws of this state;

5 3. Make arrests for wildlife conservation violations and
6 nonconservation-related crimes with the same power and authority as
7 sheriffs are vested with and in cooperation with other law
8 enforcement officers and agencies;

9 4. Take into possession any and all protected wildlife, or any
10 part thereof, killed, taken, shipped or in any possession contrary
11 to the law, and the wildlife or parts thereof may be disposed of as
12 determined by the Director or any court of competent jurisdiction;

13 5. Make a complaint and cause proceedings to be commenced
14 against any person for violation of any of the laws for the
15 protection and propagation of wildlife, with the sanction of the
16 prosecuting or district attorney of the county in which the
17 proceedings are brought, and shall not be required to give security
18 for costs;

19 6. Be an authorized agent of the Commission or Department under
20 Section 3-202 of this title in addition to duties as a game warden;
21 and

22 7. Assist in enforcement of the state fire laws, upon request
23 of the Oklahoma Department of Agriculture, Food, and Forestry.
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1 C. 1. Pursuant to the provisions of this subsection, a game
2 warden may operate a vehicle owned or leased by the Department upon
3 a roadway during the hours of darkness without lighted headlamps,
4 clearance lamps, or other illuminating devices. As used in this
5 paragraph, "roadway" shall include any street or highway in this
6 state except an interstate highway, a limited access highway, a
7 state trunk highway, or any street or highway within the limits of
8 an incorporated area.

9 2. Pursuant to the provisions of this subsection, a game warden
10 may operate a vessel upon any waters of this state during the hours
11 of darkness without the illuminating devices required by Section
12 4207 of Title 63 of the Oklahoma Statutes.

13 3. A game warden may operate a vehicle or vessel without the
14 illuminating devices specified in this subsection only if the
15 operation:

- 16 a. is made in the performance of the duties of the game
17 warden pursuant to the provisions of the Code, and
- 18 b. (1) will aid in the accomplishment of a lawful arrest
19 for any violation of the Oklahoma Wildlife Code
20 or any rule or regulation promulgated thereto, or
21 (2) will aid in ascertaining whether a violation of
22 the Oklahoma Wildlife Conservation Code or any
23 rule or regulation promulgated thereto has been
24 or is about to be committed.

1 D. Any person who refuses to stop a vehicle or boat when
2 requested to do so by a game warden in the performance of the duties
3 of the game warden is guilty of a misdemeanor and upon conviction is
4 punishable by a fine of not less than One Hundred Dollars (\$100.00)
5 nor more than Five Hundred Dollars (\$500.00).

6 E. Any game warden who solicits or accepts any bribe or money
7 or other thing of value in connection with the performance of duty
8 as a game warden shall be guilty of a felony and, upon conviction,
9 shall be sentenced to a term not less than two (2) years nor more
10 than seven (7) years in the custody of the Department of Corrections
11 and shall be summarily removed from office.

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

13 Passed the House of Representatives the 13th day of March, 2008.

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17 Presiding Officer of the House of
Representatives

18 Passed the Senate the ____ day of _____, 2008.

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22 Presiding Officer of the Senate

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