

ENROLLED HOUSE
BILL NO. 2735

By: Renegar, Roan, Walker and
Duncan of the House

and

Lerblance of the Senate

An Act relating to game and fish; amending 29 O.S. 2001, Sections 4-111, as amended by Section 3, Chapter 287, O.S.L. 2003 and 4-112A, as amended by Section 1, Chapter 79, O.S.L. 2007 (29 O.S. Supp. 2007, Sections 4-111 and 4-112A), which relate to licenses; modifying fees for fur dealer's licenses; changing the age limit for an apprentice hunting license or permit; and declaring an emergency.

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

SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-111, as amended by Section 3, Chapter 287, O.S.L. 2003 (29 O.S. Supp. 2007, Section 4-111), is amended to read as follows:

Section 4-111. A. No person may buy, barter or deal in any fur or pelt of furbearers in this state without having first procured a license for such from the Director.

B. Fur dealers must provide advance notice of each and every place where such business is transacted. Such notice shall be to the Director in the manner prescribed by the Commission.

C. It shall be illegal and punishable under the provisions of this section, for anyone not having a current fur dealer's license to sell, barter or deal in any fur or pelt of furbearers in this state for shipment of said fur or pelt out of state without having obtained a current license and without reporting said sale to the Director.

D. The fee for a license under this section shall be ~~Twenty-five Dollars (\$25.00)~~ One Hundred Dollars (\$100.00) for residents ~~or nonresidents~~. The fee for a license under this section for nonresidents who reside in a state which charges a fee for a fur dealer's license shall be equivalent to that state's nonresident fee. If no equivalent fee exists in a state where a nonresident resides, the fee for an Oklahoma nonresident fur dealer's license shall be Three Hundred Dollars (\$300.00).

E. All licenses issued pursuant to this section shall expire on June 30 of each year.

F. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both such fine and imprisonment.

SECTION 2. AMENDATORY 29 O.S. 2001, Section 4-112A, as amended by Section 1, Chapter 79, O.S.L. 2007 (29 O.S. Supp. 2007, Section 4-112A), is amended to read as follows:

Section 4-112A. A. No person thirty-five (35) years of age or younger may purchase or receive any hunting license or hunting tag unless the person possesses and can exhibit a certificate of competency and safety in the use and handling of firearms from the Department of Wildlife Conservation. The Department shall charge no fee for the issuance of certificates. A hunter safety certificate issued by another state or country and approved by the Department of Wildlife Conservation shall be deemed to meet the requirements of this section.

B. A youth hunter under sixteen (16) years of age hunting small game shall be exempt from the hunter safety certification requirements set forth in subsection A of this section if they are accompanied by a licensed hunter twenty-one (21) years of age or older who possesses a certificate of hunter safety or is exempt from the hunter safety certification requirements. The accompanying hunter shall be in sight of the youth hunter and shall be able to communicate with the youth hunter in a normal voice without the aid of any communication device. A youth hunter who possesses a certificate of hunter safety may hunt small game without an accompanying hunter as long as the youth hunter carries the certification on their person.

C. Persons ~~sixteen (16)~~ ten (10) years of age through thirty-five (35) years of age who do not possess a certificate of hunter safety may purchase or receive any hunting license or permit which is required by law with the designation "apprentice" listed on the hunter education line of the license or permit. A person holding a license or permit with the apprentice designation shall be allowed to hunt only if they are accompanied by a licensed hunter twenty-one (21) years of age or older who possesses a certificate of hunter safety or is exempt from the hunter safety certification requirements or is accompanied by a person exempt from the hunting license requirements. When hunting big game, the accompanying hunter shall be within arm's length of the apprentice hunter or close enough so that the accompanying hunter can immediately take control of the firearm or archery equipment of the apprentice hunter. When hunting small game, the accompanying hunter shall be in sight of the apprentice hunter and shall be able to communicate with the apprentice hunter in a normal voice without the aid of any communication device.

D. Legal residents who do not possess a certificate of hunter safety may purchase a lifetime hunting license or lifetime combination hunting/fishing license with the designation "apprentice" listed on the hunter education line of the license. A resident holding a lifetime license with the apprentice designation shall be allowed to hunt only if they comply with the accompanying hunter requirements as set forth in subsection C of this section. Upon obtaining a certificate of hunter safety, a resident holding a lifetime license with the apprentice designation shall be entitled to renew their license without the apprentice designation.

E. The Department of Wildlife Conservation shall promulgate rules necessary for the certification of programs for hunter safety offered by other public or private organizations.

F. The provisions of this section shall not apply to any person who has an honorable discharge from the United States Armed Forces, who is currently on active duty in the United States Armed Forces or a member of the National Guard. In addition, the provisions of this section shall not apply to any person who is a resident landowner or a resident tenant, while hunting game other than deer or antelope, upon land owned or leased by the person. The provisions of this subsection shall not exempt nonresidents owning land in this state nor any person leasing land, for the purpose of hunting.

G. Any person convicted of violating the provisions of this section shall be punished by the imposition of a fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both fine and imprisonment.

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

Passed the House of Representatives the 1st day of May, 2008.

Presiding Officer of the House of
Representatives

Passed the Senate the 16th day of April, 2008.

Presiding Officer of the Senate