

THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2008

Committee Substitute for
House Bill No. 2524

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2524 - By: GLENN of the House and BALLENGER of the Senate.

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

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

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

4 Section 4-112. A. Except as otherwise provided for in the Oklahoma Wildlife
5 Conservation Code or the Oklahoma Farmed Cervidae Act, no person may hunt, pursue,
6 trap, harass, catch, kill, take or attempt to take in any manner, use, have in possession,
7 sell, or transport all or any portion of any wildlife except fish, without having first
8 procured a license from the Department of Wildlife Conservation. The Wildlife
9 Conservation Commission shall designate a consecutive Saturday and Sunday in

1 September of each year as free hunting days in which residents of this state may hunt
2 without first procuring a hunting license pursuant to the provisions of this section.

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

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

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

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

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

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

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

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

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

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

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

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

- 7 1. a. Annual hunting licenses for nonresidents hunting game other than
8 deer, antelope, or elk, One Hundred Thirty-six Dollars (\$136.00); for
9 deer, Two Hundred Dollars (\$200.00); for antelope and elk, Three
10 Hundred Dollars (\$300.00). There shall be no exemptions for deer,
11 antelope, elk, or turkey. Any nonresident hunting in a big game or
12 combination big game and upland game commercial hunting area shall
13 be required to have an annual nonresident hunting license pursuant to
14 this subparagraph, and the fee shall be One Hundred Thirty-six
15 Dollars (\$136.00). For a five-day nonresident hunting license to hunt
16 game other than deer, antelope, elk, turkey, or pheasant, the fee shall
17 be Forty-one Dollars and fifty cents (\$41.50).
- 18 b. Annual combination hunting licenses for nonresidents hunting one
19 antlered and one antlerless deer, Two Hundred Fifty Dollars (\$250.00);
20 for nonresidents hunting an additional antlerless deer, Fifty Dollars
21 (\$50.00) which shall be valid only on private lands not managed by the
22 Department of Wildlife Conservation.

1 c. Of the amount of monies collected pursuant to the provisions of
2 subparagraphs a and b this paragraph, Five Dollars (\$5.00) of the
3 license fee for hunting game other than deer, antelope and elk, Five
4 Dollars (\$5.00) of the license fee for hunting deer, Five Dollars (\$5.00)
5 of the license fee for hunting antelope and elk and Two Dollars and
6 fifty cents (\$2.50) of the five-day hunting license shall be deposited in
7 the Wildlife Land Acquisition Fund created pursuant to the provisions
8 of Section 4-132 of this title.

9 d. Annual hunting licenses for nonresident college students, as defined in
10 this subparagraph, hunting deer or turkey, the fee for each shall be
11 equal to the fee for a resident deer or turkey hunting license. In order
12 to qualify for the license issued pursuant to this subparagraph, a
13 nonresident college student shall be twenty-five (25) years of age or
14 less and enrolled as a full-time student at an institution within The
15 Oklahoma State System of Higher Education or at a private institution
16 of higher learning located within this state at the time of obtaining the
17 license. Use of a license issued pursuant to this subparagraph is
18 subject to all other restrictions provided by statute and regulations of
19 the Wildlife Conservation Commission.

20 2. Disability hunting license, residents of this state for at least six (6) months and
21 who are receiving Social Security Disability benefits, Supplemental Security Income
22 benefits or disability benefits under the Railroad Retirement Act, 45 U.S.C.A., Section

1 231a or residents who are ~~one hundred percent (100%)~~ one-hundred-percent disabled and
2 are receiving disability payments from the Multiple Injury Trust Fund pursuant to
3 Section 173 of Title 85 of the Oklahoma Statutes, may purchase a disability hunting
4 license from the Director for Ten Dollars (\$10.00) for five (5) years.

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

- 7 a. residents sixty-four (64) years of age or older provided such residents
8 have obtained a senior citizen's license pursuant to the provisions of
9 Section 4-133 of this title,
10 b. legal residents of Oklahoma under eighteen (18) years of age provided
11 such residents shall be required to pay a deer gun hunting license fee
12 of Nine Dollars (\$9.00),
13 c. residents with proper certification from the United States Department
14 of Veterans Affairs or its successor, certifying that the person is a
15 disabled veteran in receipt of compensation at the one-hundred-percent
16 rate shall be exempt from the fees specified pursuant to this
17 paragraph, and
18 d. residents hunting in big game or combination big game and upland
19 game commercial hunting areas shall be exempt from the fees specified
20 pursuant to this paragraph.

21 4. Deer archery hunting license, residents, Nineteen Dollars (\$19.00) and for legal
22 residents of Oklahoma under eighteen (18) years of age, Nine Dollars (\$9.00). There

1 shall be no exemptions except residents with proper certification from the United States
2 Department of Veterans Affairs or its successor, certifying that the person is a disabled
3 veteran in receipt of compensation at the one-hundred-percent rate and residents
4 hunting in big game or combination big game and upland game commercial hunting
5 areas shall be exempt from the fees specified pursuant to this paragraph.

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

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

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

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

1 b. persons with proper certification from the United States Department of
2 Veterans Affairs or its successor, certifying that the person is a
3 disabled veteran in receipt of compensation at the one-hundred-percent
4 rate shall be exempt from the fees specified pursuant to this
5 paragraph, and

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

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

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

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

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

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

7 a. for legal residents, Fifty Dollars (\$50.00), and

8 b. for nonresidents, One Hundred Forty-five Dollars (\$145.00).

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

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

19 H. Unless a substitute license is purchased as provided for by subsection F of this
20 section, any resident convicted of violating the provisions of this section shall be
21 punished by the imposition of a fine of not less than Twenty-five Dollars (\$25.00) nor

1 more than Two Hundred Dollars (\$200.00), or by imprisonment in the county jail for a
2 period not to exceed thirty (30) days, or by both.

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

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

9 COMMITTEE REPORT BY: COMMITTEE ON NATURAL RESOURCES, dated 02-25-
10 08 - DO PASS, As Amended and Coauthored.