

THE HOUSE OF REPRESENTATIVES
Thursday, March 6, 2008

Committee Substitute for
House Bill No. 3164

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3164 - By: BLACKWELL of the House.

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; changing five-day nonresident hunting license to include pheasant; changing fee for the five-day nonresident hunting license; 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
10 September of each year as free hunting days in which residents of this state may hunt
11 without first procuring a hunting license pursuant to the provisions of this section.

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

- 3 1. Legal residents of Oklahoma under sixteen (16) years of age;
- 4 2. Legal residents of Oklahoma sixty-four (64) years of age or older provided they
5 have obtained a senior citizen's license pursuant to the provisions of Section 4-133 of this
6 title;
- 7 3. Legal residents born on or before January 1, 1923;
- 8 4. Legal resident veterans having a disability of sixty percent (60%) or more;
- 9 5. Legal resident owners or tenants who hunt on land owned or leased by them;
- 10 6. Every citizen of Oklahoma serving in a branch of the United States Armed
11 Forces on properly authorized leave from military duty having in his or her possession
12 proper written evidence showing such authorized leave and serving outside the State of
13 Oklahoma at the time of the hunting;
- 14 7. Any nonresident under fourteen (14) years of age;
- 15 8. Legal residents having a proven disability which renders them nonambulatory
16 and confines them to a wheelchair, as certified by a physician licensed in this state or in
17 any state which borders this state;
- 18 9. Any person under eighteen (18) years of age who is in the physical custody of a
19 child care facility as defined by Section 402 of Title 10 of the Oklahoma Statutes; and
- 20 10. Any person hunting, pursuing, trapping, harassing, catching, killing, taking, or
21 attempting to take in any manner any species of rattlesnake during an organized

1 rattlesnake-hunting event or festival and who has a rattlesnake permit issued pursuant
2 to Section 4-143 of this title.

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

- 5 1. a. Annual hunting licenses for nonresidents hunting game other than
6 deer, antelope, or elk, One Hundred Thirty-six Dollars (\$136.00); for
7 deer, Two Hundred Dollars (\$200.00); for antelope and elk, Three
8 Hundred Dollars (\$300.00). There shall be no exemptions for deer,
9 antelope, elk, or turkey. Any nonresident hunting in a big game or
10 combination big game and upland game commercial hunting area shall
11 be required to have an annual nonresident hunting license pursuant to
12 this subparagraph, and the fee shall be One Hundred Thirty-six
13 Dollars (\$136.00). For a five-day nonresident hunting license to hunt
14 game other than deer, antelope, elk, or turkey, ~~or pheasant~~, the fee
15 shall be ~~Forty-one Dollars and fifty cents (\$41.50)~~ Sixty-nine Dollars
16 (\$69.00).
- 17 b. Annual combination hunting licenses for nonresidents hunting one
18 antlered and one antlerless deer, Two Hundred Fifty Dollars (\$250.00);
19 for nonresidents hunting an additional antlerless deer, Fifty Dollars
20 (\$50.00) which shall be valid only on private lands not managed by the
21 Department of Wildlife Conservation.

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

8 2. Disability hunting license, residents of this state for at least six (6) months and
9 who are receiving Social Security Disability benefits, Supplemental Security Income
10 benefits or disability benefits under the Railroad Retirement Act, 45 U.S.C.A., Section
11 231a or residents who are ~~one hundred percent (100%)~~ one-hundred-percent disabled and
12 are receiving disability payments from the Multiple Injury Trust Fund pursuant to
13 Section 173 of Title 85 of the Oklahoma Statutes, may purchase a disability hunting
14 license from the Director for Ten Dollars (\$10.00) for five (5) years.

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

- 17 a. residents sixty-four (64) years of age or older provided such residents
18 have obtained a senior citizen's license pursuant to the provisions of
19 Section 4-133 of this title,
20 b. legal residents of Oklahoma under eighteen (18) years of age provided
21 such residents shall be required to pay a deer gun hunting license fee
22 of Nine Dollars (\$9.00),

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

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

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

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

5 7. Bonus, special or second deer gun hunting license, residents, Nineteen Dollars
6 (\$19.00). No exemptions except:

7 a. residents sixty-five (65) 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. persons with proper certification from the United States Department of
11 Veterans Affairs or its successor, certifying that the person is a
12 disabled veteran in receipt of compensation at the one-hundred-percent
13 rate shall be exempt from the fees specified pursuant to this
14 paragraph, and

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

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

20 1. For legal residents eighteen (18) years of age and older, Nineteen Dollars
21 (\$19.00); for legal residents sixteen (16) or seventeen (17) years of age, Four Dollars
22 (\$4.00); and

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

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

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

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

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

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

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

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

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

18 COMMITTEE REPORT BY: COMMITTEE ON NATURAL RESOURCES, dated 03-05-
19 08 - DO PASS, As Amended.

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