

ESB 2084

THE HOUSE OF REPRESENTATIVES
Wednesday, April 9, 2008

ENGROSSED
Senate Bill No. 2084
As Amended

ENGROSSED SENATE BILL NO. 2084 - By: RABON of the Senate and HARRISON of the House.

An Act relating to wildlife; amending 29 O.S. 2001, Section 3-201, as last amended by Section 12, Chapter 138, O.S.L. 2006 (29 O.S. Supp. 2007, Section 3-201), which relates to game wardens; expanding duties of game wardens; and providing an effective date.

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

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

7 B. All persons appointed game wardens shall be peace officers and have the full
8 powers of peace officers of the State of Oklahoma in the enforcement of the provisions of
9 ~~this~~ the Oklahoma Wildlife Conservation Code and are authorized to:

10 1. Enforce all state laws on ~~Department-owned or Department-managed~~ lands
11 owned or managed by the Department of Wildlife Conservation;

1 2. Enforce the provisions of the Oklahoma Wildlife Conservation Code on the
2 turnpikes of this state;

3 3. Enforce all other laws of this state;

4 ~~3.~~ 4. Make arrests for wildlife conservation violations and nonconservation-related
5 crimes with the same power and authority as with which sheriffs are vested ~~with~~ and in
6 cooperation with other law enforcement officers and agencies;

7 4. 5. Take into possession any and all protected wildlife, or any part thereof, killed,
8 taken, shipped or in any possession contrary to the law, and the wildlife or parts thereof
9 may be disposed of as determined by the Director or any court of competent jurisdiction;

10 ~~5.~~ 6. Make a complaint and cause proceedings to be commenced against any person
11 for violation of any of the laws for the protection and propagation of wildlife, with the
12 sanction of the prosecuting or district attorney of the county in which the proceedings are
13 brought, and shall not be required to give security for costs;

14 ~~6.~~ 7. Be an authorized agent of the Commission or Department under Section 3-202
15 of this title in addition to duties as a game warden; and

16 7. 8. Assist in enforcement of the state fire laws, ~~upon request of the Oklahoma~~
17 ~~Department of Agriculture, Food, and Forestry.~~

18 C. 1. Pursuant to the provisions of this subsection, a game warden may operate a
19 vehicle owned or leased by the Department upon a roadway during the hours of darkness
20 without lighted headlamps, clearance lamps, or other illuminating devices. As used in
21 this paragraph, "roadway" shall include any street or highway in this state except an

1 interstate highway, a limited access highway, a state trunk highway, or any street or
2 highway within the limits of an incorporated area.

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

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

8 a. is made in the performance of the duties of the game warden pursuant
9 to the provisions of the Code, and

10 b. (1) will aid in the accomplishment of a lawful arrest for any
11 violation of the Oklahoma Wildlife Code or any rule or
12 regulation promulgated thereto, or

13 (2) will aid in ascertaining whether a violation of the Oklahoma
14 Wildlife Conservation Code or any rule or regulation
15 promulgated thereto has been or is about to be committed.

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

20 E. Any game warden who solicits or accepts any bribe or money or other thing of
21 value in connection with the performance of duty as a game warden shall be guilty of a
22 felony and, upon conviction, shall be sentenced to a term not less than two (2) years nor

1 more than seven (7) years in the custody of the Department of Corrections and shall be
2 summarily removed from office.

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

4 COMMITTEE REPORT BY: COMMITTEE ON NATURAL RESOURCES, dated 04-08-
5 08 - DO PASS, As Amended.