

THE STATE SENATE
Monday, February 25, 2008

Committee Substitute for
Senate Bill No. 1463

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1463 - By: WILLIAMSON of
the Senate and RICHARDSON of the House.

An Act relating to game and fish; amending 29 O.S. 2001,
Section 5-201, which relates to the means of taking
wildlife; clarifying statutory language; prohibiting the
hunting of wildlife by computer-assisted remote control
hunting; prohibiting the selling or providing of facilities
for the hunting of wildlife by computer-assisted remote
control hunting; providing penalties; authorizing the
revocation of certain licenses for violations; establishing
fees for reinstatement of a revoked license; defining
certain term; providing for codification; and declaring an
emergency.

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

SECTION 1. AMENDATORY 29 O.S. 2001, Section 5-201, is
amended to read as follows:

Section 5-201. A. Except as otherwise provided for in this
section, no person may utilize at any time, for the purpose of
killing or capturing any game mammal, game bird or nongame bird, the
following means:

- 1. Any trap, net, snare, cage, pitfall, baited hook or similar
device;
- 2. Any drug, poison, narcotic, explosive or similar substance;
- 3. Any swivel or punt gun of greater calibre than ten (10)
gauge;

1 4. Any device which generates electricity; or
2 5. Any device which noticeably suppresses noise from a firearm,
3 commonly known as a silencer.

4 B. No person shall hunt wildlife by computer-assisted remote
5 control hunting.

6 C. No person shall engage in any activity that provides, sells,
7 offers for sale, assists in, or provides facilities for computer-
8 assisted remote control hunting of wildlife.

9 D. The following persons shall be exempt from the prohibition
10 in subsection A of this section:

11 1. The Director, departmental employees and authorized agents
12 when capturing wildlife for propagation or management purposes;

13 2. Any person, group or governmental agency the Director may by
14 written permit authorize, where any species of nongame birds are
15 causing a nuisance or undue economic loss, as may be determined by
16 the Director. Such permit shall state the method of control and
17 specific procedures and conditions as may be deemed appropriate by
18 the Director;

19 3. Any person possessing a scientific purposes license under
20 Section 4-118 of this title; or

21 4. Employees of the State Oklahoma Department of Agriculture,
22 Food, and Forestry Wildlife Services Division and the United States
23 Department of Agriculture Wildlife Services while engaged in

1 wildlife management activities for the protection of agriculture,
2 property, human health and safety and natural resources.

3 ~~C.~~ E. 1. Any person convicted of violating the provisions of
4 subsection A of this section shall be punished by a fine of not less
5 than One Hundred Dollars (\$100.00) nor more than Five Hundred
6 Dollars (\$500.00).

7 2. Any person convicted of violating the provisions of
8 subsection B or C of this section shall be punished by a fine of not
9 less than Two Hundred Fifty Dollars (\$250.00) nor more than Five
10 Hundred Dollars (\$500.00) or by imprisonment in the county jail not
11 exceeding one (1) year, or by both the fine and imprisonment. In
12 addition, the court may order that the hunting or fishing license
13 and privileges of any person convicted of violating the provisions
14 of subsection B or C of this section be revoked for a period of not
15 less than one (1) year but not exceeding five (5) years. The cost
16 of reinstating a hunting or fishing license revoked pursuant to this
17 subsection for residents shall be Two Hundred Dollars (\$200.00) for
18 each license and for nonresidents shall be Five Hundred Dollars
19 (\$500.00) for each license. The reinstatement fee shall be in
20 addition to any other fees required for the hunting or fishing
21 license.

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 2-106.1a of Title 29, unless
3 there is created a duplication in numbering, reads as follows:

4 "Computer-assisted remote control hunting" means the use of a
5 computer or any other device, equipment, or software to remotely
6 control the hunting, taking, or attempt to take wildlife.

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

11 COMMITTEE REPORT BY: COMMITTEE ON TOURISM & WILDLIFE, dated 2-21-08
12 - DO PASS, As Amended and Coauthored.