

SB 434

THE STATE SENATE  
Monday, February 26, 2007

Senate Bill No. 434  
As Amended

SENATE BILL NO. 434 - By: RABON of the Senate and DORMAN of the House.

[ wildlife - game wardens - effective date ]

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

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

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

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

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

2. Enforce all other laws of this state;

3. ~~Make~~ May make arrests for wildlife conservation violations and nonconservation-related crimes with the same power and authority

1 as sheriffs are vested with and in cooperation with other law  
2 enforcement officers and agencies;

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

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

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

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

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

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

3 2. Pursuant to the provisions of this subsection, a game warden  
4 may operate a vessel upon any waters of this state during the hours  
5 of darkness without the illuminating devices required by Section  
6 4207 of Title 63 of the Oklahoma Statutes.

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

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

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

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

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

1       E. Any game warden who solicits or accepts any bribe or money  
2 or other thing of value in connection with the performance of duty  
3 as a game warden shall be guilty of a felony and, upon conviction,  
4 shall be sentenced to a term not less than two (2) years nor more  
5 than seven (7) years in the custody of the Department of Corrections  
6 and shall be summarily removed from office.

7       SECTION 2. This act shall become effective November 1, 2007.

8       COMMITTEE REPORT BY: COMMITTEE ON TOURISM & WILDLIFE, dated 2-22-07  
9 - DO PASS, As Amended and Coauthored.