

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 1358

6 By: Sherrer

7 COMMITTEE SUBSTITUTE

8 An Act relating to game and fish; amending 29 O.S.
9 2001, Section 4-112A, as last amended by Section 2,
10 Chapter 129, O.S.L. 2008 (29 O.S. Supp. 2008, Section
11 4-112A), which relates to the certificate of hunter
12 competency and safety requirements; requiring certain
13 persons to obtain a certificate of competency and
14 safety to hunt any game; changing age limit for an
15 apprentice designation; requiring hunters under a
16 certain age to be accompanied by a certain hunter;
17 modifying certain exemption; modifying the
18 accompanying hunter requirements; and declaring an
19 emergency.

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

21 SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-112A, as
22 last amended by Section 2, Chapter 129, O.S.L. 2008 (29 O.S. Supp.
23 2008, Section 4-112A), is amended to read as follows:

24 Section 4-112A. A. No person thirty-five (35) years of age or
younger may purchase or receive any hunting license or ~~hunting tag~~
hunt any game unless the person possesses and can exhibit a
certificate of competency and safety in the use and handling of
firearms from the Department of Wildlife Conservation. The

1 Department shall charge no fee for the issuance of certificates. A
2 hunter safety certificate issued by another state or country and
3 approved by the Department of Wildlife Conservation shall be deemed
4 to meet the requirements of this section.

5 B. 1. A youth hunter under sixteen (16) years of age hunting
6 small game shall be exempt from the hunter safety certification
7 requirements set forth in subsection A of this section if they are
8 accompanied by a ~~licensed hunter~~ person twenty-one (21) years of age
9 or older who:

10 a. is a licensed hunter and possesses a certificate of
11 hunter safety ~~or,~~

12 b. is a licensed hunter and is exempt from the hunter
13 safety certification requirements, or

14 c. is exempt from the hunting license requirements.

15 2. The accompanying hunter shall be in sight of the youth
16 hunter and shall be able to communicate with the youth hunter in a
17 normal voice without the aid of any communication device. A youth
18 hunter who possesses a certificate of hunter safety may hunt small
19 game without an accompanying hunter as long as the youth hunter
20 carries the certification on their person.

21 C. 1. Persons ~~ten (10)~~ eight (8) years of age through thirty-
22 five (35) years of age who do not possess a certificate of hunter
23 safety may purchase or receive any hunting license or permit which
24

1 is required by law with the designation "apprentice" listed on the
2 hunter education line of the license or permit.

3 A 2. All persons under twelve (12) years of age hunting big
4 game and any person holding a license or permit with the apprentice
5 designation shall be allowed to hunt only if they are accompanied by
6 a ~~licensed hunter~~ person twenty-one (21) years of age or older who:

7 a. is a licensed hunter and possesses a certificate of
8 hunter safety ~~or,~~

9 b. is a licensed hunter and is exempt from the hunter
10 safety certification requirements, or

11 c. is accompanied by a person exempt from the hunting
12 license requirements.

13 3. When hunting big game, the accompanying hunter shall be
14 within arm's length of the apprentice hunter or close enough so that
15 the accompanying hunter can immediately take control of the firearm
16 or archery equipment of the apprentice hunter. When hunting small
17 game, the accompanying hunter shall be in sight of the apprentice
18 hunter and shall be able to communicate with the apprentice hunter
19 in a normal voice without the aid of any communication device.

20 D. Legal residents who do not possess a certificate of hunter
21 safety may purchase a lifetime hunting license or lifetime
22 combination hunting/fishing license with the designation
23 "apprentice" listed on the hunter education line of the license. A
24 resident holding a lifetime license with the apprentice designation

1 shall be allowed to hunt only if they comply with the accompanying
2 hunter requirements as set forth in subsection C of this section.
3 Upon obtaining a certificate of hunter safety, a resident holding a
4 lifetime license with the apprentice designation shall be entitled
5 to renew their license without the apprentice designation.

6 E. The Department of Wildlife Conservation shall promulgate
7 rules necessary for the certification of programs for hunter safety
8 offered by other public or private organizations.

9 F. The provisions of this section shall not apply to any person
10 who has an honorable discharge from the United States Armed Forces,
11 who is currently on active duty in the United States Armed Forces or
12 a member of the National Guard. In addition, the provisions of this
13 section shall not apply to any person who is a resident landowner or
14 a resident tenant, while hunting small game ~~other than deer or~~
15 ~~antelope~~, upon land owned or leased by the person. The provisions
16 of this subsection shall not exempt nonresidents owning land in this
17 state nor any person leasing land, for the purpose of hunting.

18 G. Any person convicted of violating the provisions of this
19 section shall be punished by the imposition of a fine of not less
20 than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars
21 (\$200.00) or by imprisonment in the county jail for a period not to
22 exceed thirty (30) days, or by both fine and imprisonment.

23 SECTION 2. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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