

1 ENGROSSED SENATE
2 BILL NO. 1594

By: Schulz of the Senate

and

Richardson of the House

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7 An Act relating to game and fish; amending 29 O.S.
8 2001, Section 4-112, as last amended by Section 1,
9 Chapter 49, O.S.L. 2008 (29 O.S. Supp. 2009, Section
10 4-112), which relates to hunting licenses; modifying
11 certain nonresident hunting license fees; modifying
12 types of nonresident deer hunting licenses;
13 apportioning funds; providing an effective date; and
14 declaring an emergency.

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

16 SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-112, as
17 last amended by Section 1, Chapter 49, O.S.L. 2008 (29 O.S. Supp.
18 2009, Section 4-112), is amended to read as follows:

19 Section 4-112. A. Except as otherwise provided for in the
20 Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae
21 Act, no person may hunt, pursue, trap, harass, catch, kill, take or
22 attempt to take in any manner, use, have in possession, sell, or
23 transport all or any portion of any wildlife except fish, without
24 having first procured a license from the Department of Wildlife
Conservation. The Wildlife Conservation Commission shall designate
a consecutive Saturday and Sunday in September of each year as free

1 hunting days in which residents of this state may hunt without first
2 procuring a hunting license pursuant to the provisions of this
3 section.

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

6 1. Legal residents of Oklahoma under sixteen (16) years of age;

7 2. Legal residents of Oklahoma sixty-four (64) years of age or
8 older provided they have obtained a senior citizen's license
9 pursuant to the provisions of Section 4-133 of this title;

10 3. Legal residents born on or before January 1, 1923;

11 4. Legal resident veterans having a disability of sixty percent
12 (60%) or more;

13 5. Legal resident owners or tenants who hunt on land owned or
14 leased by them;

15 6. Every citizen of Oklahoma serving in a branch of the United
16 States Armed Forces on properly authorized leave from military duty
17 having in his or her possession proper written evidence showing such
18 authorized leave and serving outside the State of Oklahoma at the
19 time of the hunting;

20 7. Any nonresident under fourteen (14) years of age;

21 8. Legal residents having a proven disability which renders
22 them nonambulatory and confines them to a wheelchair, as certified
23 by a physician licensed in this state or in any state which borders
24 this state;

1 9. Any person under eighteen (18) years of age who is in the
2 physical custody of a child care facility as defined by Section 402
3 of Title 10 of the Oklahoma Statutes; and

4 10. Any person hunting, pursuing, trapping, harassing,
5 catching, killing, taking, or attempting to take in any manner any
6 species of rattlesnake during an organized rattlesnake-hunting event
7 or festival and who has a rattlesnake permit issued pursuant to
8 Section 4-143 of this title.

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

- 11 1. a. Annual hunting licenses for nonresidents hunting game
12 other than deer, antelope, or elk, ~~One Hundred Thirty~~
13 ~~six Dollars (\$136.00) for deer, Two Hundred Dollars~~
14 ~~(\$200.00); One Hundred Forty-one Dollars (\$141.00);~~
15 for antelope and elk, ~~Three Hundred Dollars (\$300.00)~~
16 ~~Three Hundred Five Dollars (\$305.00)~~. There shall be
17 no exemptions for deer, antelope, elk, or turkey. Any
18 nonresident hunting in a big game or combination big
19 game and upland game commercial hunting area shall be
20 required to have an annual nonresident hunting license
21 pursuant to this subparagraph, and the fee shall be
22 ~~One Hundred Thirty six Dollars (\$136.00) One Hundred~~
23 ~~Forty-one Dollars (\$141.00)~~. For a five-day
24 nonresident hunting license to hunt game other than

1 deer, antelope, elk, or turkey, the fee shall be
2 ~~Sixty nine Dollars (\$69.00)~~ Seventy-four Dollars
3 (\$74.00).

- 4 b. (1) ~~Annual annual combination hunting licenses for~~
5 ~~nonresidents hunting one antlered and one~~
6 ~~antlerless deer, Two Hundred Fifty Dollars~~
7 ~~(\$250.00); for nonresidents hunting an additional~~
8 ~~antlerless deer, Fifty Dollars (\$50.00) which~~
9 ~~shall be valid only on private lands not managed~~
10 ~~by the Department of Wildlife Conservation~~
11 nonresident deer archery license fee shall be Two
12 Hundred Seventy-nine Dollars (\$279.00). The
13 license shall be valid for hunting all deer
14 allowed during the deer archery season,
- 15 (2) annual nonresident deer muzzleloader license fee
16 shall be Two Hundred Seventy-nine Dollars
17 (\$279.00). The license shall be valid for
18 hunting all deer allowed during the deer
19 muzzleloader season, and
- 20 (3) annual nonresident deer gun license fee shall be
21 Two Hundred Seventy-nine Dollars (\$279.00). The
22 license shall be valid for hunting all deer
23 allowed during the deer gun season.

1 c. Of the amount of monies collected pursuant to the
2 provisions of this paragraph, Five Dollars (\$5.00) of
3 the license fee for hunting game other than deer,
4 antelope and elk, Five Dollars (\$5.00) of the license
5 fee for hunting deer, Five Dollars (\$5.00) of the
6 license fee for hunting antelope and elk and Two
7 Dollars and fifty cents (\$2.50) of the five-day
8 hunting license shall be deposited in the Wildlife
9 Land Acquisition Fund created pursuant to the
10 provisions of Section 4-132 of this title and Five
11 Dollars (\$5.00) of each fee shall be deposited in the
12 Oklahoma Wildlife Stamp Fund created pursuant to the
13 provisions of Section 4-141 of this title.

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

23 3. Deer gun hunting license, residents, Nineteen Dollars
24 (\$19.00). There shall be no exemptions except:

- 1 a. residents sixty-four (64) years of age or older
2 provided such residents have obtained a senior
3 citizen's license pursuant to the provisions of
4 Section 4-133 of this title,
- 5 b. legal residents of Oklahoma under eighteen (18) years
6 of age provided such residents shall be required to
7 pay a deer gun hunting license fee of Nine Dollars
8 (\$9.00),
- 9 c. residents with proper certification from the United
10 States Department of Veterans Affairs or its
11 successor, certifying that the person is a disabled
12 veteran in receipt of compensation at the one-hundred-
13 percent rate shall be exempt from the fees specified
14 pursuant to this paragraph, and
- 15 d. residents hunting in big game or combination big game
16 and upland game commercial hunting areas shall be
17 exempt from the fees specified pursuant to this
18 paragraph.

19 4. Deer archery hunting license, residents, Nineteen Dollars
20 (\$19.00) and for legal residents of Oklahoma under eighteen (18)
21 years of age, Nine Dollars (\$9.00). There shall be no exemptions
22 except residents with proper certification from the United States
23 Department of Veterans Affairs or its successor, certifying that the
24 person is a disabled veteran in receipt of compensation at the one-

1 hundred-percent rate and residents hunting in big game or
2 combination big game and upland game commercial hunting areas shall
3 be exempt from the fees specified pursuant to this paragraph.

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

13 6. Elk or antelope hunting license, residents, Fifty Dollars
14 (\$50.00). There shall be no exemptions except residents hunting in
15 big game or combination big game and upland game commercial hunting
16 areas shall be exempt from the fees specified pursuant to this
17 paragraph.

18 7. Bonus, special or second deer gun hunting license,
19 residents, Nineteen Dollars (\$19.00). No exemptions except:
20 a. residents sixty-five (65) years of age or older
21 provided such residents have obtained a senior
22 citizen's license pursuant to the provisions of
23 Section 4-133 of this title,
24

1 b. persons with proper certification from the United
2 States Department of Veterans Affairs or its
3 successor, certifying that the person is a disabled
4 veteran in receipt of compensation at the one-hundred-
5 percent rate shall be exempt from the fees specified
6 pursuant to this paragraph, and

7 c. residents hunting in big game or combination big game
8 and upland game commercial hunting areas shall be
9 exempt from the fees specified pursuant to this
10 paragraph.

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

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

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

18 E. The provisions of this section shall not be construed to
19 require a hunting license, resident or nonresident, of any person
20 merely because the person participates, as owner or handler of an
21 entry, as an official, or as a spectator in the conduct of a field
22 trial or performance test of dogs, whether a resident or nonresident
23 of the State of Oklahoma. No license to hunt shall be required of
24 any person engaged in training or working dogs, provided that person

1 is in no way engaged in hunting and does not take or attempt to take
2 in any manner any game.

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

- 11 a. for legal residents, Fifty Dollars (\$50.00), and
- 12 b. for nonresidents, One Hundred Forty-five Dollars
13 (\$145.00).

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

19 G. Any person producing proof in court that a current hunting
20 license issued by the Department of Wildlife Conservation to that
21 person was in force at the time of the alleged offense shall be
22 entitled to dismissal of a charge of violating this section upon
23 payment of court costs; however, if proof of hunting license is
24 presented to the court or district attorney within seventy-two (72)

1 hours after the violation, the charge shall be dismissed without
2 payment of court costs.

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

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

15 SECTION 2. This act shall become effective July 1, 2010.

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

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