

THE HOUSE OF REPRESENTATIVES
Thursday, February 12, 2009

Committee Substitute for
House Bill No. 1358

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1358 - By: SHERRER of the House.

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

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

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

4 Section 4-112A. A. No person thirty-five (35) years of age or younger may purchase
5 or receive any hunting license or ~~hunting tag~~ hunt any game unless the person possesses
6 and can exhibit a certificate of competency and safety in the use and handling of firearms
7 from the Department of Wildlife Conservation. The Department shall charge no fee for
8 the issuance of certificates. A hunter safety certificate issued by another state or country

1 and approved by the Department of Wildlife Conservation shall be deemed to meet the
2 requirements of this section.

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

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

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

10 c. is exempt from the hunting license requirements.

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

16 C. 1. Persons ~~ten (10)~~ eight (8) years of age through thirty-five (35) years of age
17 who do not possess a certificate of hunter safety may purchase or receive any hunting
18 license or permit which is required by law with the designation “apprentice” listed on the
19 hunter education line of the license or permit.

20 A 2. All persons under twelve (12) years of age hunting big game and any person
21 holding a license or permit with the apprentice designation shall be allowed to hunt only

1 if they are accompanied by a ~~licensed hunter~~ person twenty-one (21) years of age or older
2 who:

- 3 a. is a licensed hunter and possesses a certificate of hunter safety ~~or,~~
- 4 b. is a licensed hunter and is exempt from the hunter safety certification
5 requirements, or
- 6 c. ~~is accompanied by a person~~ exempt from the hunting license
7 requirements.

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

14 D. Legal residents who do not possess a certificate of hunter safety may purchase a
15 lifetime hunting license or lifetime combination hunting/fishing license with the
16 designation "apprentice" listed on the hunter education line of the license. A resident
17 holding a lifetime license with the apprentice designation shall be allowed to hunt only if
18 they comply with the accompanying hunter requirements as set forth in subsection C of
19 this section. Upon obtaining a certificate of hunter safety, a resident holding a lifetime
20 license with the apprentice designation shall be entitled to renew their license without
21 the apprentice designation.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

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

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

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

16 SECTION 2. It being immediately necessary for the preservation of the public
17 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
18 this act shall take effect and be in full force from and after its passage and approval.

19 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 02-11-09 - DO PASS,
20 As Amended.