

THE HOUSE OF REPRESENTATIVES  
Wednesday, February 11, 2009

## House Bill No. 1691

HOUSE BILL NO. 1691 - By: SEARS of the House and FORD of the Senate.

An Act relating to game and fish; amending 29 O.S. 2001, Section 4-108, which relates to the falconer's license; clarifying language; adding other raptors to falconer's license requirement; modifying requirement for a falconer's license and hunting license; amending 29 O.S. 2001, Section 5-206, which relates to falconry provisions; adding other raptors to species that may be used in falconry; modifying licensing requirement for transport of raptors; and declaring an emergency.

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

- 1 SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-108, is amended to read  
2 as follows:
- 3 Section 4-108. A. No person may use hawks, falcons, owls ~~or~~, eagles or any other  
4 raptor to hunt, chase or take game without having first procured a falconer's license ~~for~~  
5 ~~such from the Director~~.
- 6 B. All falconers shall have ~~the~~ an Oklahoma falconer's license or equivalent license  
7 from another state and an ~~annual~~ Oklahoma hunting license unless legally exempt.
- 8 C. The fee for a falconer's license ~~under~~ issued by the Director of Wildlife  
9 Conservation pursuant to this section shall be Forty-five Dollars (\$45.00) for a resident  
10 and One Hundred Dollars (\$100.00) for a nonresident. ~~Said~~ A falconer's license shall be  
11 valid for a period of three (3) years from date of issuance.

1 D. In lieu of the provisions of subsection C of this section, the Department is  
2 authorized to issue a temporary falconer's license for nonresidents not to exceed ten (10)  
3 days. The fee for ~~such a~~ temporary license shall be Twenty-five Dollars (\$25.00).

4 E. Any person with a falconer's license whose hunting raptor accidentally kills a  
5 wildlife that is out of season or of the wrong species or sex shall leave the dead wildlife  
6 where it lies, except that the raptor may feed upon the wildlife prior to leaving the site of  
7 the kill.

8 F. Any person convicted of violating any provision of this section shall be punished  
9 by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred  
10 Dollars (\$200.00).

11 SECTION 2. AMENDATORY 29 O.S. 2001, Section 5-206, is amended to read  
12 as follows:

13 Section 5-206. A. Falconry is a legal method for hunting and taking resident  
14 Oklahoma game, pursuant to the ~~following~~ provisions of this section.

15 B. Any exotic species of hawk, falcon, owl ~~or~~, eagle, or other raptor and any native  
16 species of hawk, falcon, owl ~~or~~, eagle, or other raptor as provided in Section 5-410 of this  
17 ~~Code title~~, may be used for ~~such~~ the sport of falconry. Hawks, falcons, owls ~~and~~, eagles,  
18 and other raptors which are bred in captivity in accordance with federal regulations may  
19 be sold, possessed, traded or bartered, by persons licensed as required under Section 4-  
20 107 of this title, and may be possessed, trained and used only by persons licensed under  
21 Section 4-108 of this ~~Code title~~.

1 C. Hawks, falcons, owls ~~and~~, eagles, and other raptors may be transported into and  
2 out of the state, only as provided by Sections 7-602 and 7-801 of this ~~Code~~ title. However,  
3 persons possessing a valid Oklahoma falconer's license or equivalent license from  
4 another state and who are in compliance with federal law may transport raptors into and  
5 out of the state without notifying the ~~director~~ Director of Wildlife Conservation.

6 D. Any person convicted of violating the provisions of this section shall be punished  
7 by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred  
8 Dollars (\$200.00).

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

12 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 02-10-09 - DO PASS,  
13 As Coauthored.