

THE HOUSE OF REPRESENTATIVES
Thursday, February 19, 2009

House Bill No. 2154

HOUSE BILL NO. 2154 - By: ARMES of the House.

An Act relating to game and fish; amending Section 2, Chapter 63, O.S.L. 2008 (29 O.S. Supp. 2008, Section 7-209), which relates to trespass on certain lands; modifying penalty; defining term; and providing an effective date.

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

1 SECTION 1. AMENDATORY Section 2, Chapter 63, O.S.L. 2008 (29 O.S.
2 Supp. 2008, Section 7-209), is amended to read as follows:

3 Section 7-209. A. Any person who willfully enters a facility licensed pursuant to
4 the Oklahoma Farmed Cervidae Act or a commercial hunting area licensed pursuant to
5 Section 4-106 of ~~Title 29 of the Oklahoma Statutes~~ this title without permission by the
6 owner shall be deemed guilty of trespass and, upon conviction thereof, shall be fined in
7 any sum not to exceed Two Hundred Fifty Dollars (\$250.00).

8 B. Any person who willfully enters a facility licensed pursuant to the Oklahoma
9 Farmed Cervidae Act or a big game commercial hunting area licensed pursuant to
10 Section 4-106 of ~~Title 29 of the Oklahoma Statutes~~ this title and hunts, takes or attempts
11 to take a cervidae or wildlife without permission by the owner shall be deemed guilty of a
12 misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than
13 ~~One Thousand Five Hundred Dollars (\$1,500.00)~~ Two Thousand Five Hundred Dollars

1 ~~(\$2,500.00)~~ nor more than ~~Five Thousand Dollars (\$5,000.00)~~ Ten Thousand Dollars
2 (\$10,000.00) or by imprisonment in the county jail not to exceed sixty (60) days, or by
3 both such fine and imprisonment, and in addition, the court shall order restitution for
4 actual damages incurred. For purposes of this subsection, "actual damages" includes, but
5 is not limited to, damages to real or personal property wherein the person willfully
6 entering a licensed facility hunts, shoots, shoots at, kills, attempts to kill, disturbs,
7 hazes, takes, or attempts to take any personal property of the owner without permission
8 from the owner.

9 SECTION 2. This act shall become effective November 1, 2009.

10 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 02-18-09 - DO PASS.