

THE HOUSE OF REPRESENTATIVES
Thursday, February 25, 2010

Committee Substitute for
House Bill No. 2585

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2585 - By: PRUETT of the House and JUSTICE of the Senate.

An Act relating to game and fish; amending 29 O.S. 2001, Section 4-112, as last amended by Section 1, Chapter 49, O.S.L. 2008 (29 O.S. Supp. 2009, Section 4-112), which relates to hunting licenses; clarifying exemptions from certain hunting licenses; changing the fee for certain nonresident hunting licenses; adding certain nonresident hunting licenses; making certain hunting licenses valid for all allowed deer; deleting certain additional license requirements for nonresidents; requiring portion of certain nonresident license fees to be for the Oklahoma Wildlife Land Stamp and deposited in the Oklahoma Wildlife Land Fund; modifying statutory outline for resident hunting licenses; modifying fee for annual resident hunting license; requiring certain amount from license fee to be for the Oklahoma Wildlife Land Stamp and deposited in the Oklahoma Wildlife Land Fund; clarifying language; and declaring an emergency.

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

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

4 Section 4-112. A. Except as otherwise provided for in the Oklahoma Wildlife
5 Conservation Code or the Oklahoma Farmed Cervidae Act, no person may hunt, pursue,
6 trap, harass, catch, kill, take or attempt to take in any manner, use, have in possession,
7 sell, or transport all or any portion of any wildlife except fish, without having first

1 procured a license from the Department of Wildlife Conservation. The Wildlife
2 Conservation Commission shall designate a consecutive Saturday and Sunday in
3 September of each year as free hunting days in which residents of this state may hunt
4 without first procuring a hunting license pursuant to the provisions of this section.

5 B. ~~Pursuant to the provisions of this Code, persons excepted~~ The following legal
6 residents of Oklahoma shall be exempt from the annual hunting license requirement of
7 paragraph 1 of subsection E of this section ~~are~~ and the following nonresidents shall be
8 exempt from the annual nonresident hunting licenses required pursuant to paragraph 1
9 of subsection C of this section:

10 1. ~~Legal residents of Oklahoma~~ Residents under sixteen (16) years of age;

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

14 3. ~~Legal residents~~ Residents born on or before January 1, 1923;

15 4. ~~Legal resident~~ Resident veterans having a disability of sixty percent (60%) or
16 more;

17 5. ~~Legal resident~~ Resident owners or tenants who hunt on land owned or leased by
18 them;

19 6. ~~Every citizen of Oklahoma~~ Residents serving in a branch of the United States
20 Armed Forces on properly authorized leave from military duty ~~having in his or her~~
21 ~~possession~~ who has proper written evidence in their possession showing ~~such the~~

1 authorized leave, and is serving outside the State of Oklahoma at the time of the
2 hunting;

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

4 8. ~~Legal residents~~ Residents having a proven disability which renders them
5 nonambulatory and confines them to a wheelchair, as certified by a physician licensed in
6 this state or in any state which borders this state;

7 9. Any ~~person~~ resident or nonresident under eighteen (18) years of age who is in the
8 physical custody of a child care facility as defined by Section 402 of Title 10 of the
9 Oklahoma Statutes; and

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

14 C. Except as otherwise provided ~~for in this Code~~, the fees for following are the
15 nonresident hunting licenses listed in issued pursuant to this subsection are section and
16 the fee for each license:

17 1. ~~a.~~ Annual hunting licenses for ~~nonresidents~~ hunting game other than deer,
18 antelope, ~~or elk, One Hundred Thirty-six Dollars (\$136.00)~~ or bear and for hunting big
19 game or combination big game and upland game in a commercial hunting area - One
20 Hundred Forty-one Dollars (\$141.00);

1 2. Gun hunting license for deer, Two Hundred Dollars (\$200.00) which shall be
2 valid for hunting all deer allowed during the current calendar year deer gun season - Two
3 Hundred Seventy-nine Dollars (\$279.00);

4 3. Archery hunting license for deer which shall be valid for hunting all deer allowed
5 during the current calendar year deer archery season – Two Hundred Seventy-nine
6 Dollars (\$279.00);

7 4. Primitive firearms hunting license for deer which shall be valid for hunting all
8 deer allowed during the current calendar year deer primitive firearms season – Two
9 Hundred Seventy-nine Dollars (\$279.00);

10 5. Hunting license for antelope and elk, Three Hundred Dollars (\$300.00). There
11 shall be no exemptions for deer, antelope, elk, or turkey. Any nonresident hunting in a
12 Three Hundred Five Dollars (\$305.00);

13 6. big game or combination big game and upland game commercial hunting area
14 shall be required to have an annual nonresident hunting license pursuant to this
15 subparagraph, and the fee shall be One Hundred Thirty-six Dollars (\$136.00). For a five-
16 day nonresident Hunting license for elk – Three Hundred five Dollars (\$305.00);

17 7. Five-day hunting license to hunt game other than deer, antelope, elk, or turkey,
18 the fee shall be Sixty-nine Dollars (\$69.00). – Seventy-four Dollars (\$74.00); and

19 b. ~~Annual combination hunting licenses for nonresidents hunting one~~
20 ~~antlered and one antlerless deer, Two Hundred Fifty Dollars (\$250.00);~~
21 ~~for nonresidents hunting an additional antlerless deer, Fifty Dollars~~

1 (~~\$50.00~~) which shall be valid only on private lands not managed by the
2 Department of Wildlife Conservation.

3 e.

4 8. Ten-day hunting license for small game in a commercial hunting area - Five
5 Dollars (\$5.00).

6 D. Of the amount of monies fees collected pursuant to the provisions of this
7 paragraph, paragraphs 1 through 7 of subsection C of this section:

8 1. Five Dollars (\$5.00) of the license fee for hunting game other than deer, antelope
9 and elk, Five Dollars (\$5.00) of the license fee for hunting deer, Five Dollars (\$5.00) of the
10 license fee for hunting antelope and elk each license issued pursuant to paragraphs 1
11 through 6 of subsection C of this section and Two Dollars and fifty cents (\$2.50) of the
12 five-day hunting license fee for each license issued pursuant to paragraph 7 of subsection
13 C of this section shall be deposited in the Wildlife Land Acquisition Fund created
14 pursuant to the provisions of Section 4-132 of this title; and

15 2. Five Dollars (\$5.00) of the license fee for each license issued pursuant to
16 paragraphs 1 through 7 of subsection C of this section shall be for the Oklahoma Wildlife
17 Land Stamp and shall be deposited in the Oklahoma Wildlife Land Fund created
18 pursuant to the provisions of Section 4-141 of this title.

19 ~~2. Disability hunting license, residents of this state for at least six (6) months and~~
20 ~~who are receiving Social Security Disability benefits, Supplemental Security Income~~
21 ~~benefits or disability benefits under the Railroad Retirement Act, 45 U.S.C.A., Section~~
22 ~~231a or residents who are one-hundred-percent disabled and are receiving disability~~

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

1 payments from the Multiple Injury Trust Fund pursuant to Section 173 of Title 85 of the
2 Oklahoma Statutes, may purchase a disability hunting license from the Director for Ten
3 Dollars (\$10.00) for five (5) years.

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

6 a. ~~residents sixty-four (64) years of age or older provided such residents~~
7 ~~have obtained a senior citizen's license pursuant to the provisions of~~
8 ~~Section 4-133 of this title,~~

9 b. ~~legal residents of Oklahoma under eighteen (18) years of age provided~~
10 ~~such residents shall be required to pay a deer gun hunting license fee~~
11 ~~of Nine Dollars (\$9.00),~~

12 e. ~~residents with proper certification from the United States Department~~
13 ~~of Veterans Affairs or its successor, certifying that the person is a~~
14 ~~disabled veteran in receipt of compensation at the one-hundred-percent~~
15 ~~rate shall be exempt from the fees specified pursuant to this~~
16 ~~paragraph, and~~

17 d. ~~residents hunting in big game or combination big game and upland~~
18 ~~game commercial hunting areas shall be exempt from the fees specified~~
19 ~~pursuant to this paragraph.~~

20 4. ~~Deer archery hunting license, residents, Nineteen Dollars (\$19.00) and for legal~~
21 ~~residents of Oklahoma under eighteen (18) years of age, Nine Dollars (\$9.00). There~~
22 ~~shall be no exemptions except residents with proper certification from the United States~~

1 Department of Veterans Affairs or its successor, certifying that the person is a disabled
2 veteran in receipt of compensation at the one-hundred-percent rate and residents
3 hunting in big game or combination big game and upland game commercial hunting
4 areas shall be exempt from the fees specified pursuant to this paragraph.

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

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

16 ~~7. Bonus, special or second deer gun hunting license, residents, Nineteen Dollars~~
17 ~~(\$19.00). No exemptions except:~~

- 18 a. ~~residents sixty-five (65) years of age or older provided such residents~~
19 ~~have obtained a senior citizen's license pursuant to the provisions of~~
20 ~~Section 4-133 of this title,~~
- 21 b. ~~persons with proper certification from the United States Department of~~
22 ~~Veterans Affairs or its successor, certifying that the person is a~~

1 disabled veteran in receipt of compensation at the one-hundred-percent
2 rate shall be exempt from the fees specified pursuant to this
3 paragraph, and

4 e. residents hunting in big game or combination big game and upland
5 game commercial hunting areas shall be exempt from the fees specified
6 pursuant to this paragraph.

7 ~~D. The fees for~~ E. Except as otherwise provided, the following are the resident
8 hunting licenses, ~~except as provided for in the Oklahoma Wildlife Conservation Code, are~~
9 issued pursuant to this section and the fee for each license:

10 1. ~~For legal~~ Annual hunting license for residents eighteen (18) years of age and
11 older, ~~Nineteen Dollars (\$19.00) - Twenty-four Dollars (\$24.00). Five Dollars (\$5.00) of~~
12 the annual hunting license fee collected pursuant to this paragraph shall be for the
13 Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma Wildlife Land
14 Fund created pursuant to Section 4-141 of this title; for legal

15 2. Annual hunting license for residents sixteen (16) or seventeen (17) years of age, ~~;~~
16 Four Dollars (\$4.00); ~~and~~

17 ~~2. Commercial~~ 3. Ten-day hunting area license for residents for small game ten-
18 day permit, resident or nonresident, in a commercial hunting area - Five Dollars (\$5.00);

19 4. Five-year disability hunting license for residents of this state for at least six (6)
20 months who are receiving Social Security Disability benefits, Supplemental Security
21 Income benefits or disability benefits under the Railroad Retirement Act, 45 U.S.C.A.,
22 Section 231a, or residents who are one-hundred-percent disabled and are receiving

UNDERLINED language denotes Amendments to present Statutes.
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1 disability payments from the Multiple Injury Trust Fund pursuant to Section 173 of Title
2 85 of the Oklahoma Statutes - Ten Dollars (\$10.00);

3 5. Gun hunting license for deer for residents eighteen (18) years of age or older -
4 Nineteen Dollars (\$19.00). The following persons shall be exempt:

5 a. residents sixty-four (64) years of age or older provided they have
6 obtained a senior citizen lifetime license pursuant to the provisions of
7 Section 4-133 of this title,

8 b. residents with proper certification from the United States Department
9 of Veterans Affairs or its successor, certifying that the person is a
10 disabled veteran in receipt of compensation at the one-hundred-percent
11 rate, and

12 c. residents hunting in big game or combination big game and upland
13 game commercial hunting areas;

14 6. Gun hunting license for deer for residents under eighteen (18) years of age -
15 Nine Dollars (\$9.00);

16 7. Archery hunting license for deer for residents eighteen (18) years of age or older -
17 Nineteen Dollars (\$19.00). The following persons shall be exempt:

18 a. residents with proper certification from the United States Department
19 of Veterans Affairs or its successor, certifying that the person is a
20 disabled veteran in receipt of compensation at the one-hundred-percent
21 rate, and

- 1 a. residents sixty-five (65) years of age or older provided they have
2 obtained a senior citizen lifetime license pursuant to the provisions of
3 Section 4-133 of this title,
- 4 b. residents with proper certification from the United States Department
5 of Veterans Affairs or its successor, certifying that the person is a
6 disabled veteran in receipt of compensation at the one-hundred-percent
7 rate, and
- 8 c. residents hunting in big game or combination big game and upland
9 game commercial hunting areas.

10 F. F. The provisions of this section shall not be construed to require a hunting
11 license, resident or nonresident, of any person merely because the person participates, as
12 owner or handler of an entry, as an official, or as a spectator in the conduct of a field trial
13 or performance test of dogs, whether a resident or nonresident of the State of Oklahoma.
14 No license to hunt shall be required of any person engaged in training or working dogs,
15 provided that person is in no way engaged in hunting and does not take or attempt to
16 take in any manner any game.

17 F. G. 1. Any person arrested for hunting game other than deer, antelope, elk, or
18 turkey without a valid hunting license as required by the provisions of subsection A of
19 this section may purchase a substitute temporary thirty-day license from the arresting
20 game warden in lieu of posting bond. Proof of hunter safety certification will not be
21 required for the temporary substitute license. The fee for a substitute license purchased
22 pursuant to the provisions of this subsection shall be:

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

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

7 ~~G.~~ H. Any person producing proof in court that a current hunting license issued by
8 the Department of Wildlife Conservation to that person was in force at the time of the
9 alleged offense shall be entitled to dismissal of a charge of violating this section upon
10 payment of court costs; ~~however, if.~~ If proof of a current hunting license is presented to
11 the court or district attorney within seventy-two (72) hours after the violation, the charge
12 shall be dismissed without payment of court costs.

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

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

1 SECTION 2. It being immediately necessary for the preservation of the public
2 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
3 this act shall take effect and be in full force from and after its passage and approval.
4 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 02-24-10 - DO PASS,
5 As Amended and Coauthored.