

THE HOUSE OF REPRESENTATIVES
Wednesday, March 25, 2009

ENGROSSED

Senate Bill No. 277

ENGROSSED SENATE BILL NO. 277 - By: SCHULZ of the Senate and 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 trespassing and unauthorized hunting on commercial hunting areas; modifying penalty; 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:

1 1. For the first offense, be deemed guilty of a misdemeanor and, upon conviction
2 thereof, shall be punished by a fine of not less than One Thousand Five Hundred Dollars
3 (\$1,500.00) nor more than Five Thousand Dollars (\$5,000.00) or by imprisonment in the
4 county jail not to exceed sixty (60) days, or by both such fine and imprisonment, and in
5 addition, the court shall order restitution for actual damages incurred; and

6 2. For a second or any subsequent offense, be deemed guilty of a felony and, upon
7 conviction thereof, shall be punished by a fine of not less than One Thousand Five
8 Hundred Dollars (\$1,500.00) nor more than Five Thousand Dollars (\$5,000.00) or by
9 imprisonment in the custody of the Department of Corrections for a period of not more
10 than one (1) year, or by both such fine and imprisonment, and in addition, the court shall
11 order restitution for actual damages incurred.

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

13 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 03-24-09 - DO PASS.