

EHB 1691

THE STATE SENATE
Monday, March 30, 2009

ENGROSSED

House Bill No. 1691

ENGROSSED 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:

SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-108, is amended to read as follows:

Section 4-108. A. No person may use hawks, falcons, owls ~~or~~, eagles or any other raptor to hunt, chase or take game without having first procured a falconer's license ~~for such from the~~ Director.

B. All falconers shall have ~~the~~ an Oklahoma falconer's license or equivalent license from another state and an ~~annual~~ Oklahoma hunting license unless legally exempt.

C. The fee for a falconer's license ~~under~~ issued by the Director of Wildlife Conservation pursuant to this section shall be Forty-five Dollars (\$45.00) for a resident and One Hundred Dollars

1 (\$100.00) for a nonresident. ~~Said~~ A falconer's license shall be
2 valid for a period of three (3) years from date of issuance.

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

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

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

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

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

20 B. Any exotic species of hawk, falcon, owl ~~or~~, eagle, or other
21 raptor and any native species of hawk, falcon, owl ~~or~~, eagle, or
22 other raptor as provided in Section 5-410 of this ~~Code~~ title, may be
23 used for ~~such~~ the sport of falconry. Hawks, falcons, owls ~~and~~,

1 eagles, and other raptors which are bred in captivity in accordance
2 with federal regulations may be sold, possessed, traded or bartered,
3 by persons licensed as required under Section 4-107 of this title,
4 and may be possessed, trained and used only by persons licensed
5 under Section 4-108 of this ~~Code~~ title.

6 C. Hawks, falcons, owls ~~and~~, eagles, and other raptors may be
7 transported into and out of the state, only as provided by Sections
8 7-602 and 7-801 of this ~~Code~~ title. However, persons possessing a
9 valid Oklahoma falconer's license or equivalent license from another
10 state and who are in compliance with federal law may transport
11 raptors into and out of the state without notifying the ~~director~~
12 Director of Wildlife Conservation.

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

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

20 COMMITTEE REPORT BY: COMMITTEE ON TOURISM & WILDLIFE, dated 3-26-09
21 - DO PASS.