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THE STATE SENATE
Monday, March 30, 2009

ENGROSSED
House Bill No. 2154
As Amended

ENGROSSED HOUSE BILL NO. 2154 - By: Armes of the House and Schulz of the Senate.

[game and fish - modifying penalty - trespassing - effective date]

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

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

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

B. Any person who willfully enters a facility licensed pursuant to the Oklahoma Farmed Cervidae Act or a big game commercial hunting area licensed pursuant to Section 4-106 of ~~Title 29 of the Oklahoma Statutes~~ this title and hunts, takes or attempts to take a cervidae or wildlife without permission by the owner shall be deemed guilty

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

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

15 COMMITTEE REPORT BY: COMMITTEE ON TOURISM & WILDLIFE, dated 3-26-09
16 - DO PASS, As Amended.