

1 THE STATE SENATE
2 Monday, March 29, 2010

3 ENGROSSED

4 House Bill No. 2585

5 As Amended

6 ENGROSSED HOUSE BILL NO. 2585 - By: Pruett and Roan of the House and
7 Justice of the Senate.

8 [game and fish - hunting licenses - clarifying language -
9 emergency]

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

11 SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-112, as
12 last amended by Section 1, Chapter 49, O.S.L. 2008 (29 O.S. Supp.
13 2009, Section 4-112), is amended to read as follows:

14 Section 4-112. A. Except as otherwise provided for in the
15 Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae
16 Act, no person may hunt, pursue, trap, harass, catch, kill, take or
17 attempt to take in any manner, use, have in possession, sell, or
18 transport all or any portion of any wildlife except fish, without
19 having first procured a license from the Department of Wildlife
20 Conservation. The Wildlife Conservation Commission shall designate
21 a consecutive Saturday and Sunday in September of each year as free
22 hunting days in which residents of this state may hunt without first
23 procuring a hunting license pursuant to the provisions of this
24 section.

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

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

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

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

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

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

18 6. ~~Every citizen of Oklahoma~~ Residents serving in a branch of
19 the United States Armed Forces on properly authorized leave from
20 military duty ~~having in his or her possession~~ who have proper
21 written evidence in their possession showing ~~such~~ the authorized
22 leave, and is serving outside the State of Oklahoma at the time of
23 the hunting;

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

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

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

9 10. Any ~~person~~ resident or nonresident hunting, pursuing,
10 trapping, harassing, catching, killing, taking, or attempting to
11 take in any manner any species of rattlesnake during an organized
12 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~~
15 following are the nonresident hunting licenses listed in issued
16 pursuant to this subsection are section and the fee for each
17 license:

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

1 2. Gun hunting license for deer, Two Hundred Dollars (\$200.00)
2 which shall be valid for hunting all deer allowed during the current
3 calendar year deer gun season - Two Hundred Seventy-nine Dollars
4 (\$279.00);

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

8 4. Primitive firearms hunting license for deer which shall be
9 valid for hunting all deer allowed during the current calendar year
10 deer primitive firearms season - Two Hundred Seventy-nine Dollars
11 (\$279.00);

12 5. Hunting license for antelope and elk, Three Hundred Dollars
13 (\$300.00). There shall be no exemptions for deer, antelope, elk, or
14 turkey. Any nonresident hunting in a - Three Hundred Five Dollars
15 (\$305.00);

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

21 7. Five-day hunting license to hunt game other than deer,
22 antelope, elk, or turkey, the fee shall be Sixty nine Dollars
23 (\$69.00). - Seventy-four Dollars (\$74.00); and

1 b. ~~Annual combination hunting licenses for nonresidents~~
2 ~~hunting one antlered and one antlerless deer, Two~~
3 ~~Hundred Fifty Dollars (\$250.00); for nonresidents~~
4 ~~hunting an additional antlerless deer, Fifty Dollars~~
5 ~~(\$50.00) which shall be valid only on private lands~~
6 ~~not managed by the Department of Wildlife~~
7 ~~Conservation.~~

8 e.

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

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

14 1. Five Dollars (\$5.00) of the license fee for hunting game
15 other than deer, antelope and elk, Five Dollars (\$5.00) of the
16 license fee for hunting deer, Five Dollars (\$5.00) of the license
17 fee for hunting antelope and elk each license issued pursuant to
18 paragraphs 1 through 6 of subsection C of this section and Two
19 Dollars and fifty cents (\$2.50) of the five-day hunting license fee
20 for each license issued pursuant to paragraph 7 of subsection C of
21 this section shall be deposited in the Wildlife Land Acquisition
22 Fund created pursuant to the provisions of Section 4-132 of this
23 title; and

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

6 ~~2. Disability hunting license, residents of this state for at~~
7 ~~least six (6) months and who are receiving Social Security~~
8 ~~Disability benefits, Supplemental Security Income benefits or~~
9 ~~disability benefits under the Railroad Retirement Act, 45 U.S.C.A.,~~
10 ~~Section 231a or residents who are one hundred percent disabled and~~
11 ~~are receiving disability payments from the Multiple Injury Trust~~
12 ~~Fund pursuant to Section 173 of Title 85 of the Oklahoma Statutes,~~
13 ~~may purchase a disability hunting license from the Director for Ten~~
14 ~~Dollars (\$10.00) for five (5) years.~~

15 ~~3. Deer gun hunting license, residents, Nineteen Dollars~~
16 ~~(\$19.00). There shall be no exemptions except:~~

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

21 ~~b. legal residents of Oklahoma under eighteen (18) years~~
22 ~~of age provided such residents shall be required to~~

1 ~~pay a deer gun hunting license fee of Nine Dollars~~
2 ~~(\$9.00),~~

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

9 ~~d. residents hunting in big game or combination big game~~
10 ~~and upland game commercial hunting areas shall be~~
11 ~~exempt from the fees specified pursuant to this~~
12 ~~paragraph.~~

13 ~~4. Deer archery hunting license, residents, Nineteen Dollars~~
14 ~~(\$19.00) and for legal residents of Oklahoma under eighteen (18)~~
15 ~~years of age, Nine Dollars (\$9.00). There shall be no exemptions~~
16 ~~except residents with proper certification from the United States~~
17 ~~Department of Veterans Affairs or its successor, certifying that the~~
18 ~~person is a disabled veteran in receipt of compensation at the one-~~
19 ~~hundred percent rate and residents hunting in big game or~~
20 ~~combination big game and upland game commercial hunting areas shall~~
21 ~~be exempt from the fees specified pursuant to this paragraph.~~

22 ~~5. Primitive firearms license, residents, Nineteen Dollars~~
23 ~~(\$19.00) and for legal residents of Oklahoma under eighteen (18)~~

1 ~~years of age, Nine Dollars (\$9.00). There shall be no exemptions~~
2 ~~except residents with proper certification from the United States~~
3 ~~Department of Veterans Affairs or its successor, certifying that the~~
4 ~~person is a disabled veteran in receipt of compensation at the one-~~
5 ~~hundred percent rate and residents hunting in big game or~~
6 ~~combination big game and upland game commercial hunting areas shall~~
7 ~~be exempt from the fees specified pursuant to this paragraph.~~

8 ~~6. Elk or antelope hunting license, residents, Fifty Dollars~~
9 ~~(\$50.00). There shall be no exemptions except residents hunting in~~
10 ~~big game or combination big game and upland game commercial hunting~~
11 ~~areas shall be exempt from the fees specified pursuant to this~~
12 ~~paragraph.~~

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

15 ~~a. residents sixty five (65) years of age or older~~
16 ~~provided such residents have obtained a senior~~
17 ~~citizen's license pursuant to the provisions of~~
18 ~~Section 4 133 of this title,~~

19 ~~b. persons with proper certification from the United~~
20 ~~States Department of Veterans Affairs or its~~
21 ~~successor, certifying that the person is a disabled~~
22 ~~veteran in receipt of compensation at the one hundred-~~

1 ~~percent rate shall be exempt from the fees specified~~
2 ~~pursuant to this paragraph, and~~

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

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

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

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

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

1 4. Five-year disability hunting license for residents of this
2 state for at least six (6) months who are receiving Social Security
3 Disability benefits, Supplemental Security Income benefits or
4 disability benefits under the Railroad Retirement Act, 45 U.S.C.A.,
5 Section 231a, or residents who are one-hundred-percent disabled and
6 are receiving disability payments from the Multiple Injury Trust
7 Fund pursuant to Section 173 of Title 85 of the Oklahoma Statutes -
8 Ten Dollars (\$10.00);

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

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

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

21 c. residents hunting in big game or combination big game
22 and upland game commercial hunting areas;

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

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

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

11 b. residents hunting in big game or combination big game
12 and upland game commercial hunting areas;

13 8. Archery hunting license for deer for residents under
14 eighteen (18) years of age - Nine Dollars (\$9.00);

15 9. Primitive firearms hunting license for deer for residents
16 eighteen (18) years of age or older - Nineteen Dollars (\$19.00).

17 The following persons shall be exempt:

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

1 b. residents hunting in big game or combination big game
2 and upland game commercial hunting areas;

3 10. Primitive firearms hunting license for deer for residents
4 under eighteen (18) years of age - Nine Dollars (\$9.00);

5 11. Hunting license for elk for residents - Fifty Dollars
6 (\$50.00). Residents hunting in big game or combination big game and
7 upland game commercial hunting areas shall be exempt from this
8 license;

9 12. Hunting license for antelope for residents - Fifty Dollars
10 (\$50.00). Residents hunting in big game or combination big game and
11 upland game commercial hunting areas shall be exempt from this
12 license; and

13 13. Bonus, special or additional gun hunting license for deer
14 for residents - Nineteen Dollars (\$19.00). The following persons
15 shall be exempt:

16 a. residents sixty-five (65) years of age or older
17 provided they have obtained a senior citizen lifetime
18 license pursuant to the provisions of Section 4-133 of
19 this title,

20 b. residents with proper certification from the United
21 States Department of Veterans Affairs or its
22 successor, certifying that the person is a disabled

1 b. for nonresidents, One Hundred Forty-five Dollars
2 (\$145.00).

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

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

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

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

8 SECTION 2. It being immediately necessary for the preservation
9 of the public peace, health and safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

12 COMMITTEE REPORT BY: COMMITTEE ON TOURISM & WILDLIFE, dated 3-25-10
13 - DO PASS, As Amended.