

1 THE STATE SENATE
2 Tuesday, February 17, 2009

3 Senate Bill No. 277

4 SENATE BILL NO. 277 - By: Schulz of the Senate and Armes of the
5 House.

6 An Act relating to game and fish; amending Section 2,
7 Chapter 63, O.S.L. 2008 (29 O.S. Supp. 2008, Section 7-209),
8 which relates to trespassing and unauthorized hunting on
9 commercial hunting areas; modifying penalty; and providing
10 an effective date.

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

12 SECTION 1. AMENDATORY Section 2, Chapter 63, O.S.L. 2008
13 (29 O.S. Supp. 2008, Section 7-209), is amended to read as follows:

14 Section 7-209. A. Any person who willfully enters a facility
15 licensed pursuant to the Oklahoma Farmed Cervidae Act or a
16 commercial hunting area licensed pursuant to Section 4-106 of Title
17 ~~29 of the Oklahoma Statutes~~ this title without permission by the
18 owner shall be deemed guilty of trespass and, upon conviction
19 thereof, shall be fined in any sum not to exceed Two Hundred Fifty
20 Dollars (\$250.00).

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

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

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

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

17 COMMITTEE REPORT BY: COMMITTEE ON TOURISM & WILDLIFE, dated 2-12-09
18 - DO PASS, As Coauthored.