

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1358

By: Sherrer

4
5
6 AS INTRODUCED

7 An Act relating to game and fish; amending 29 O.S.
8 2001, Section 4-112A, as last amended by Section 2,
9 Chapter 129, O.S.L. 2008 (29 O.S. Supp. 2008, Section
10 4-112A), which relates to the certificate of hunter
11 competency and safety requirements; requiring certain
12 persons to obtain a certificate of competency and
13 safety to hunt any game; changing age limit for an
14 apprentice designation; requiring hunters under a
15 certain age to be accompanied by a certain hunter;
16 modifying certain exemption; and declaring an
17 emergency.

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

19 SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-112A, as
20 last amended by Section 2, Chapter 129, O.S.L. 2008 (29 O.S. Supp.
21 2008, Section 4-112A), is amended to read as follows:

22 Section 4-112A. A. No person thirty-five (35) years of age or
23 younger may purchase or receive any hunting license or ~~hunting tag~~
24 hunt any game unless the person possesses and can exhibit a
certificate of competency and safety in the use and handling of
firearms from the Department of Wildlife Conservation. The
Department shall charge no fee for the issuance of certificates. A

1 hunter safety certificate issued by another state or country and
2 approved by the Department of Wildlife Conservation shall be deemed
3 to meet the requirements of this section.

4 B. A youth hunter under sixteen (16) years of age hunting small
5 game shall be exempt from the hunter safety certification
6 requirements set forth in subsection A of this section if they are
7 accompanied by a licensed hunter twenty-one (21) years of age or
8 older who possesses a certificate of hunter safety or is exempt from
9 the hunter safety certification requirements. The accompanying
10 hunter shall be in sight of the youth hunter and shall be able to
11 communicate with the youth hunter in a normal voice without the aid
12 of any communication device. A youth hunter who possesses a
13 certificate of hunter safety may hunt small game without an
14 accompanying hunter as long as the youth hunter carries the
15 certification on their person.

16 C. Persons ~~ten (10)~~ eight (8) years of age through thirty-five
17 (35) years of age who do not possess a certificate of hunter safety
18 may purchase or receive any hunting license or permit which is
19 required by law with the designation "apprentice" listed on the
20 hunter education line of the license or permit. ~~A~~ All persons under
21 twelve (12) years of age hunting big game and any person holding a
22 license or permit with the apprentice designation shall be allowed
23 to hunt only if they are accompanied by a licensed hunter twenty-one
24 (21) years of age or older who possesses a certificate of hunter

1 safety or is exempt from the hunter safety certification
2 requirements or is accompanied by a person exempt from the hunting
3 license requirements. When hunting big game, the accompanying
4 hunter shall be within arm's length of the apprentice hunter or
5 close enough so that the accompanying hunter can immediately take
6 control of the firearm or archery equipment of the apprentice
7 hunter. When hunting small game, the accompanying hunter shall be
8 in sight of the apprentice hunter and shall be able to communicate
9 with the apprentice hunter in a normal voice without the aid of any
10 communication device.

11 D. Legal residents who do not possess a certificate of hunter
12 safety may purchase a lifetime hunting license or lifetime
13 combination hunting/fishing license with the designation
14 "apprentice" listed on the hunter education line of the license. A
15 resident holding a lifetime license with the apprentice designation
16 shall be allowed to hunt only if they comply with the accompanying
17 hunter requirements as set forth in subsection C of this section.
18 Upon obtaining a certificate of hunter safety, a resident holding a
19 lifetime license with the apprentice designation shall be entitled
20 to renew their license without the apprentice designation.

21 E. The Department of Wildlife Conservation shall promulgate
22 rules necessary for the certification of programs for hunter safety
23 offered by other public or private organizations.

24

1 F. The provisions of this section shall not apply to any person
2 who has an honorable discharge from the United States Armed Forces,
3 who is currently on active duty in the United States Armed Forces or
4 a member of the National Guard. In addition, the provisions of this
5 section shall not apply to any person who is a resident landowner or
6 a resident tenant, while hunting small game ~~other than deer or~~
7 ~~antelope~~, upon land owned or leased by the person. The provisions
8 of this subsection shall not exempt nonresidents owning land in this
9 state nor any person leasing land, for the purpose of hunting.

10 G. Any person convicted of violating the provisions of this
11 section shall be punished by the imposition of a fine of not less
12 than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars
13 (\$200.00) or by imprisonment in the county jail for a period not to
14 exceed thirty (30) days, or by both fine and imprisonment.

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

19
20
21
22
23
24

52-1-5911 KB 12/23/08