

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1348

By: Newell

6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to game and fish; allowing a certain  
9 taxidermy specimen to be sold at an estate sale under  
10 certain conditions; requiring written permission of  
11 the Director of Wildlife Conservation; authorizing  
12 the Director to require submission of certain  
13 documents or information; providing exception for  
14 certain animals; defining terms; providing for  
15 codification; and declaring an emergency.

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

17 SECTION 1. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 5-411.2 of Title 29, unless  
19 there is created a duplication in numbering, reads as follows:

20 A. A taxidermy specimen of native wildlife may be sold at an  
21 estate sale only if the specimen is a part of the personal property  
22 of an owner whose estate is being liquidated at the sale and the  
23 Director of Wildlife Conservation grants written permission prior to  
24 the sale. The Director may require submission of any documents or

1 information as is necessary to determine the reason for and type of  
2 sale that is being conducted.

3 B. The provisions of this section shall not apply to privately  
4 owned domesticated animals designated by the Wildlife Conservation  
5 Commission, farmed cervidae facilities licensed pursuant to the  
6 Oklahoma Farmed Cervidae Act, or migratory birds.

7 C. For purposes of this section:

8 1. "Estate sale" means a type of sale or auction to dispose of  
9 a substantial portion of the real or personal property owned by a  
10 person who is recently deceased or owned by a person who must  
11 dispose of property to facilitate a move into a situation where the  
12 person will be unable to keep the property, such as to an assisted  
13 living facility, retirement community, rest home or other living  
14 quarters. Estate sales may be held by the survivors of a deceased,  
15 by a person unable to keep the property because of a move, ordered  
16 by a court or mandated in the will of a deceased. Estate sales may  
17 be conducted by a professional auctioneer or liquidator who may  
18 charge the estate a percentage of the revenues from the sales and  
19 other fees and costs incurred; and

20 2. "Taxidermy specimen" means the body of any native wildlife,  
21 or any other part thereof, that has been mounted, preserved or  
22 otherwise prepared for display.

23 SECTION 2. It being immediately necessary for the preservation  
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

3

4 53-1-6864 KB 02/23/11

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24