

1 ENGROSSED HOUSE
2 BILL NO. 2523

By: Martin (Steve) of the House

3 and

4 Coates of the Senate

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6
7 An Act relating to game and fish; amending 29 O.S.
8 2011, Section 4-110, which relates to fishing
9 licenses; creating a one-day nonresident fishing
10 license; establishing fee for the license; and
11 providing for deposit of certain portion of fee in
12 certain funds.

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

14 SECTION 1. AMENDATORY 29 O.S. 2011, Section 4-110, is
15 amended to read as follows:

16 Section 4-110. A. Except as otherwise provided in the Oklahoma
17 Wildlife Conservation Code, no person shall fish, pursue, harass,
18 catch, kill, take in any manner, use, have in possession, sell, or
19 transport all or any portion of fish without having first procured a
20 license for such from the Director or from any of the authorized
21 agents of the Department of Wildlife Conservation. The Wildlife
22 Conservation Commission may designate two (2) days per year in which
23 residents and nonresidents may fish without first procuring a
24 fishing license pursuant to the provisions of this section.

1 B. The following legal residents of Oklahoma shall be exempt
2 from the annual fishing license requirements of subsection C of this
3 section and the following nonresidents shall be exempt from the
4 annual nonresident fishing licenses required pursuant to subsection
5 E of this section:

6 1. Legal residents under sixteen (16) years of age and
7 nonresidents under sixteen (16) years of age from states which do
8 not require nonresident fishing licenses for persons under sixteen
9 (16) years of age;

10 2. Legal residents sixty-five (65) years of age or older and
11 nonresidents sixty-five (65) years of age or older from states which
12 do not require nonresident fishing licenses for persons sixty-five
13 (65) years of age or older, provided a legal resident has obtained a
14 senior citizen lifetime fishing or combination hunting and fishing
15 license pursuant to the provisions of Section 4-114 of this title;

16 3. Legal residents born on or before January 1, 1923;

17 4. Legal resident veterans having a disability of sixty percent
18 (60%) or more;

19 5. Legal resident owners or tenants, their spouses, parents,
20 grandparents, children and their spouses, grandchildren and their
21 spouses who fish in private ponds on land owned or leased by them;

22 6. Any legal resident or nonresident who is a patient of an
23 institution of the State of Oklahoma established for the care and
24 treatment of mental illness or alcohol or drug dependency or any

1 developmentally disabled person residing in any group home or other
2 institution or developmentally disabled persons when accompanied by
3 an attendant of the institution or legal guardian of the patient, or
4 when fishing on institutional property;

5 7. Any legal resident or nonresident under eighteen (18) years
6 of age who is in the legal and physical custody of the State of
7 Oklahoma or one of its agencies by court order;

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

11 9. Any legal resident or nonresident who is legally blind or
12 who has any other physical impairment, as certified by a physician
13 licensed in this state or any state which borders this state, which
14 prevents the person from properly using fishing apparatus without
15 the assistance of another person, and any one person actually
16 accompanying and actually assisting such legally blind or otherwise
17 physically impaired person while the latter is fishing. This
18 certification shall be carried by the individual while fishing;

19 10. Nonresidents under fourteen (14) years of age;

20 11. Any legal resident or nonresident who is a Job Corps
21 trainee of this state, provided that the trainees shall have on
22 their persons a duly authorized identification card issued by their
23 respective Job Corps Center and shall present the card upon request,
24 in lieu of a fishing license. The trainees shall return their cards

1 to their respective Job Corps Center when the trainees leave their
2 respective Job Corps training programs;

3 12. Any legal resident having a proven disability which renders
4 the resident nonambulatory and confined to a wheelchair as certified
5 by a physician licensed in this state or any state which borders
6 this state;

7 13. Any legal resident who is fishing with a pole and line,
8 trotline, or throwline in streams, natural lakes, natural ponds, and
9 mine pits in the county in which the person is a resident, or in
10 streams, natural lakes, natural ponds, and mine pits which form a
11 part of the boundary line of the county in which the person is a
12 resident, when using any bait other than commercial or artificial
13 bait, blood, stink bait, cut fish, and shrimp; and

14 14. Any legal resident or nonresident participating in an
15 aquatic education event or clinic sanctioned by the Department of
16 Wildlife Conservation.

17 C. Except as otherwise provided for in the Oklahoma Wildlife
18 Conservation Code, the resident fishing licenses issued pursuant to
19 the provisions of this section and the fee for each shall be:

20 1. Annual fishing license for legal residents eighteen (18)
21 years of age and older - Twenty-four Dollars (\$24.00);

22 2. Annual fishing license for legal residents sixteen (16) or
23 seventeen (17) years of age - Four Dollars (\$4.00); and

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1 3. Two-day fishing license for legal residents - Fourteen
2 Dollars (\$14.00).

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

8 E. Except as otherwise provided for in the Oklahoma Wildlife
9 Conservation Code, the nonresident fishing licenses issued pursuant
10 to the provisions of this section and the fee for each shall be:

11 1. Annual fishing license for nonresidents - Fifty-four Dollars
12 (\$54.00), provided the Commission may enter into reciprocity
13 agreements with states wherein nonresident license fees shall be in
14 conformity with such reciprocal agreements; ~~and~~

15 2. Six-day fishing license for nonresidents - Thirty-four
16 Dollars (\$34.00); and

17 3. One-day fishing license for nonresidents - Fourteen Dollars
18 (\$14.00).

19 F. Of the fees collected pursuant to the provisions of
20 paragraphs 1 ~~and~~, 2 and 3 of subsection E of this section, Five
21 Dollars (\$5.00) of the annual license fee for nonresidents, ~~and~~ One
22 Dollar and fifty cents (\$1.50) of the six-day fishing license for
23 nonresidents fee and One Dollar and fifty cents (\$1.50) of the one-
24 day fishing license for nonresidents fee shall be deposited in the

1 Wildlife Land Acquisition Fund created pursuant to the provisions of
2 Section 4-132 of this title. Of the fees collected pursuant to the
3 provisions of paragraphs 1 ~~and~~, 2 and 3 of subsection E of this
4 section, Five Dollars (\$5.00) of the license fee shall be for the
5 Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma
6 Wildlife Land Fund created pursuant to the provisions of Section 4-
7 141 of this title.

8 G. Legal residents who have resided in this state for at least
9 six (6) months and who are receiving Social Security Disability
10 benefits, Supplemental Security Income benefits, disability benefits
11 under the Railroad Retirement Act, 45 U.S.C.A., Section 231a,
12 postal employees receiving disability benefits pursuant to 5,
13 U.S.C., Section 8451 (1998) or legal residents who are one hundred
14 percent (100%) disabled and are receiving disability payments from
15 the Multiple Injury Trust Fund pursuant to Section 173 of Title 85
16 of the Oklahoma Statutes, may purchase a disability fishing license
17 from the Director for Ten Dollars (\$10.00) for five (5) years.

18 H. 1. Any person arrested while violating the provisions of
19 this section who does not meet the requirements of subsection K of
20 this section, may purchase a substitute temporary thirty-day license
21 from the arresting game warden in lieu of posting bond. The fee for
22 a substitute license purchased pursuant to the provisions of this
23 subsection shall be:

24 a. for legal residents, Fifty Dollars (\$50.00), and

1 b. for nonresidents, Ninety Dollars (\$90.00).

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

7 I. Unless a substitute license is purchased as provided for by
8 subsection H of this section, any resident of this state convicted
9 of violating the provisions of this section shall be punished by the
10 imposition of a fine of not less than Twenty-five Dollars (\$25.00)
11 nor more than Two Hundred Dollars (\$200.00) or by imprisonment in
12 the county jail for a period not to exceed thirty (30) days, or by
13 both said fine and imprisonment.

14 J. Unless a substitute license is purchased as provided for by
15 subsection H of this section, any nonresident convicted of violating
16 this section shall be punished by a fine of not less than Fifty
17 Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) or by
18 imprisonment in the county jail for a period not more than thirty
19 (30) days, or by both such fine and imprisonment.

20 K. Any person producing proof in court that a current fishing
21 license issued by the Department of Wildlife Conservation to that
22 person was in force at the time of the alleged offense shall be
23 entitled to dismissal of a charge of violating this section upon
24 payment of court costs. If proof of a current fishing license

1 issued by the Department to the person that was in force at the time
2 of the alleged offense is presented to the court or district
3 attorney within seventy-two (72) hours after the violation, the
4 charge shall be dismissed without payment of court costs.

5 Passed the House of Representatives the 5th day of March, 2012.

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Presiding Officer of the House of
Representatives

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10 Passed the Senate the ____ day of _____, 2012.

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Presiding Officer of the Senate

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