ENGROSSED SENATE
BILL NO. 1751 By: Brecheen and Allen of the Senate

and

Armes of the House

An Act relating to agriculture; amending 2 O.S. 2011, Sections 6-603 and 6-611, which relate to the Feral Swine Control Act; adding definition; modifying necessary conditions for release of feral swine; stating intent; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 2 O.S. 2011, Section 6-603, is amended to read as follows:

Section 6-603. As used in the Feral Swine Control Act:

1. "Daylight" means the period of time beginning when the sun rises and ending when the sun sets;

2. "Feral swine" means any hog, pig, or swine species (Sus scrofa) including, but not limited to, Russian and European wild boar that are running at large, free roaming, or wild upon public or private lands in this state;

3. "Owner" means any person with title to the real property or a person that has obtained a right to the possession and use of a

certain space, property, or subsurface right for a definite period of time through a contractual lease. In the event a person is permitted to come upon the real property to perform some specific act including, but not limited to, hunting, removing feral swine, or fishing, that person has no "lease" but only a "license" to do that act; ~~and~~

4. "Remove" means to change the location of, eliminate, or attempt to eliminate feral swine by a variety of methods including, but not limited to, hunting, killing, taking, trapping, and catching; and

5. "Judas pig tagging system" means a population control technique where a radio-collared feral swine is released into a control area and, after a sufficient period to allow it to join other feral swine, it is tracked down and all swine associated with the collared swine are removed.

SECTION 2. AMENDATORY 2 O.S. 2011, Section 6-611, is amended to read as follows:

Section 6-611. A. No person shall intentionally or knowingly release or engage in, sponsor, instigate, assist, or profit from the release of any hog, boar, swine, or pig to live in a wild or feral state upon public or private lands, except for ~~release~~:

1. Release into a licensed sporting facility pursuant to the Feral Swine Control Act; or

2. When utilizing the Judas pig tagging system, release onto the same private land on which a feral hog was trapped or caught. In order to come under the release authorization of this paragraph, the release must occur within twenty-four (24) hours of the capture of the hog.

B. No person shall knowingly or intentionally violate the importation, testing, permitting, licensing, and transportation requirements contained in the Feral Swine Control Act and rules promulgated thereto.

C. Any person violating the provisions of this section is guilty of a felony and subject to a maximum punishment of two (2) years in prison, a fine of Two Thousand Dollars ($2,000.00), or both fine and imprisonment.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-613 of Title 2, unless there is created a duplication in numbering, reads as follows:

A person shall not be considered the owner of a feral swine if, within a twenty-four-hour period, the person catches, tags, and releases the feral swine in the same location that it was caught.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-614 of Title 2, unless there is created a duplication in numbering, reads as follows:

Recognizing the success of other states, like Mississippi and New Mexico, utilizing the Judas pig tagging system, the Legislature

encourages using the Judas pig tagging system as an effective technique of hunting and controlling the feral swine population.

SECTION 5. This act shall become effective November 1, 2012.

Passed the Senate the 7th day of March, 2012.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2012.

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Presiding Officer of the House of Representatives