

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 53rd Legislature (2012)

4 HOUSE BILL 2920

                                  By: Martin (Steve)

7                                   AS INTRODUCED

8                   An Act relating to game and fish; amending 29 O.S.  
9                   2011, Section 5-502, which relates to trapping  
10                   devices; allowing certain traps; and providing an  
11                   effective date.

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

13                   SECTION 1.           AMENDATORY           29 O.S. 2011, Section 5-502, is  
14 amended to read as follows:

15                   Section 5-502. A. Except as otherwise provided by law, no  
16 person may use, set, construct, possess or tend any trap, snare,  
17 deadfall or other device for the purpose of catching any wildlife,  
18 except fish and frogs, in this state, except ~~that he use:~~

19                   1. Box traps; ~~and~~

20                   2. Smooth-jawed single-spring or smooth-jawed double-spring  
21 offset, leg-hold steel traps with a jaw spread of:

22                   a. no more than eight (8) inches for land sets, and

23                   b. no more than eight (8) inches for water sets; and

1        3. Enclosed trigger traps.

2        B. No trap so used may be set "in the open", or in paths,  
3 roads, or runways commonly used by persons, domestic animals or  
4 dogs.

5        C. Any trap set for the purpose of catching any wildlife shall  
6 be tended once during each twenty-four (24) hours. All traps must  
7 bear the owner's name or identification attached thereto, except for  
8 any person trapping on his own property. Any person violating this  
9 subsection shall, in addition to any criminal penalty, be civilly  
10 liable for all damages caused by such violation.

11       D. On any lands where smooth-jawed double-spring offset traps  
12 are used, the posting of signs shall be required to the right and  
13 left of all entrances from public roads and highways and from  
14 adjacent lands and at corners of perimeter fences, provided that  
15 this requirement shall not apply to any person trapping on his own  
16 property. Size, character and wording of these signs are to be  
17 determined by the State Wildlife Conservation Commission.

18       E. Employees of the State Department of Agriculture Wildlife  
19 Services Division and the United States Department of Agriculture  
20 Wildlife Services while engaged in wildlife management activities  
21 for the protection of agriculture, property, human health and safety  
22 and natural resources shall be exempt from the provisions of this  
23 section. Employees engaging in such wildlife management activities

1 on any lands where smooth-jawed double-spring offset traps are used  
2 shall be required to post signs which comply with federal  
3 requirements to the right and left of all entrances from public  
4 roads and highways and from adjacent lands and at corners of  
5 perimeter fences.

6 F. Any person convicted of violating any of the provisions of  
7 this section shall be punished by a fine of not less than  
8 Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars  
9 (\$200.00).

10 SECTION 2. This act shall become effective September 1, 2012.

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12 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE, WILDLIFE AND  
13 ENVIRONMENT, dated 02/15/2012 - DO PASS, As Coauthored.

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