

1 SECTION 1. NEW LAW A new section of law not to be
2 codified in the Oklahoma Statutes reads as follows:

3 This act shall be known and may be cited as the "Landowner's
4 Hunting Freedom Act".

5 SECTION 2. AMENDATORY 29 O.S. 2011, Section 5-201, is
6 amended to read as follows:

7 Section 5-201. A. Except as otherwise provided for in this
8 section, no person may utilize at any time, for the purpose of
9 killing or capturing any game mammal, game bird or nongame bird, the
10 following means:

- 11 1. Any trap, net, snare, cage, pitfall, baited hook or similar
12 device;
- 13 2. Any drug, poison, narcotic, explosive or similar substance;
- 14 3. Any swivel or punt gun of greater calibre than ten (10)
15 gauge;
- 16 4. Any device which generates electricity; or
- 17 5. Any device which noticeably suppresses noise from a firearm,
18 commonly known as a ~~silencer~~ suppressor.

19 B. Except as otherwise provided for in this section, no person
20 shall hunt wildlife by computer-assisted remote control hunting.

21 C. Except as otherwise provided for in this section, no person
22 shall engage in any activity that provides, sells, offers for sale,
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1 assists in, or provides facilities for computer-assisted remote
2 control hunting of wildlife.

3 D. The following persons shall be exempt from the prohibition
4 in subsection A of this section:

5 1. The Director, departmental employees and authorized agents
6 when capturing wildlife for propagation or management purposes;

7 2. Any person, group or governmental agency the Director may by
8 written permit authorize, where any species of nongame birds are
9 causing a nuisance or undue economic loss, as may be determined by
10 the Director. Such permit shall state the method of control and
11 specific procedures and conditions as may be deemed appropriate by
12 the Director;

13 3. Any person possessing a scientific purposes license under
14 Section 4-118 of this title; or

15 4. Employees of the Oklahoma Department of Agriculture, Food,
16 and Forestry Wildlife Services Division and the United States
17 Department of Agriculture Wildlife Services while engaged in
18 wildlife management activities for the protection of agriculture,
19 property, human health and safety and natural resources.

20 E. 1. The following persons shall be exempt from the
21 prohibition specified in paragraph 5 of subsection A of this
22 section:

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1 operating the computer-assisted remote control means to take
2 wildlife.

3 ~~G.~~ H. 1. Any person convicted of violating the provisions of
4 subsection A of this section shall be punished by a fine of not less
5 than One Hundred Dollars (\$100.00) nor more than Five Hundred
6 Dollars (\$500.00).

7 2. Any person convicted of violating the provisions of
8 subsection B or C of this section shall be punished by a fine of not
9 less than Two Hundred Fifty Dollars (\$250.00) nor more than Five
10 Hundred Dollars (\$500.00) or by imprisonment in the county jail not
11 exceeding one (1) year, or by both the fine and imprisonment. In
12 addition, the court may order that the hunting or fishing license
13 and privileges of any person convicted of violating the provisions
14 of subsection B or C of this section be revoked for a period of not
15 less than one (1) year but not exceeding five (5) years. The cost
16 of reinstating a hunting or fishing license revoked pursuant to this
17 subsection for residents shall be Two Hundred Dollars (\$200.00) for
18 each license and for nonresidents shall be Five Hundred Dollars
19 (\$500.00) for each license. The reinstatement fee shall be in
20 addition to any other fees required for the hunting or fishing
21 license.

22 3. Any person convicted of a wildlife offense which involves a
23 species of wildlife listed in Section 5-411 of this title, involves

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1 a species of wildlife referenced in Section 5-412 of this title or
2 involves the unlawful possession, taking or killing of the wildlife
3 from an unlawful hunt, chase, trap, capture, shooting, killing or
4 slaughter by any means and who was using a suppressed firearm during
5 the commission of the wildlife offense, in addition to any other
6 penalty otherwise provided for in law, shall be punished by a fine
7 of not less than Five Hundred Dollars (\$500.00) nor more than One
8 Thousand Dollars (\$1,000.00) or by imprisonment in the county jail
9 not exceeding one (1) year, or by both the fine and imprisonment.
10 In addition, the court may order that the hunting or fishing license
11 and privileges of the person be revoked for a period of not less
12 than one (1) year but not exceeding five (5) years. The cost of
13 reinstating a hunting or fishing license revoked pursuant to this
14 paragraph for residents shall be Two Hundred Dollars (\$200.00) for
15 each license and for nonresidents shall be Five Hundred Dollars
16 (\$500.00) for each license. The reinstatement fee shall be in
17 addition to any other fees required for the hunting or fishing
18 license.

19 SECTION 3. This act shall become effective November 1, 2012.

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21 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE, WILDLIFE AND
22 ENVIRONMENT, dated 04/04/2012 - DO PASS, As Amended and Coauthored.
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