

1 **SENATE FLOOR VERSION**

2 April 7, 2011

3 As Amended

4 ENGROSSED HOUSE

5 BILL NO. 1338

6 By: Renegar and Lockhart of the  
7 House

8 and

9 Lerblance of the Senate

10 An Act relating to game and fish; amending 29 O.S.  
11 2001, Section 4-112A, as last amended by Section 2,  
12 Chapter 129, O.S.L. 2008 (29 O.S. Supp. 2010, Section  
13 4-112A), which relates to the certificate of  
14 competency and safety requirements; changing age  
15 under which a certificate is required; changing age  
16 for an accompanying licensed hunter; changing age for  
17 an apprentice hunting license; and declaring an  
18 emergency.

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

20 SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-112A, as  
21 last amended by Section 2, Chapter 129, O.S.L. 2008 (29 O.S. Supp.  
22 2010, Section 4-112A), is amended to read as follows:

23 Section 4-112A. A. No person ~~thirty five (35)~~ thirty (30)  
24 years of age or younger may purchase or receive any hunting license  
or hunting tag unless the person possesses and can exhibit a  
certificate of competency and safety in the use and handling of  
firearms from the Department of Wildlife Conservation. The  
Department shall charge no fee for the issuance of certificates. A  
hunter safety certificate issued by another state or country and

1 approved by the Department of Wildlife Conservation shall be deemed  
2 to meet the requirements of this section.

3 B. A youth hunter under sixteen (16) years of age hunting small  
4 game shall be exempt from the hunter safety certification  
5 requirements set forth in subsection A of this section if they are  
6 accompanied by a licensed hunter ~~twenty one (21)~~ eighteen (18) years  
7 of age or older who possesses a certificate of hunter safety or is  
8 exempt from the hunter safety certification requirements. The  
9 accompanying hunter shall be in sight of the youth hunter and shall  
10 be able to communicate with the youth hunter in a normal voice  
11 without the aid of any communication device. A youth hunter who  
12 possesses a certificate of hunter safety may hunt small game without  
13 an accompanying hunter as long as the youth hunter carries the  
14 certification on their person.

15 C. Persons ~~ten (10)~~ eight (8) years of age through ~~thirty five~~  
16 ~~(35)~~ thirty (30) years of age who do not possess a certificate of  
17 hunter safety may purchase or receive any hunting license or permit  
18 which is required by law with the designation "apprentice" listed on  
19 the hunter education line of the license or permit. A person  
20 holding a license or permit with the apprentice designation shall be  
21 allowed to hunt only if they are accompanied by a licensed hunter  
22 ~~twenty one (21)~~ eighteen (18) years of age or older who possesses a  
23 certificate of hunter safety or is exempt from the hunter safety  
24 certification requirements or is accompanied by a person exempt from

1 the hunting license requirements. In addition, all persons under  
2 ten (10) years of age, when hunting big game, regardless of hunter  
3 safety certification, shall be accompanied by a licensed hunter  
4 eighteen (18) years of age or older who possesses a certificate of  
5 hunter safety or is exempt from the hunter safety certification  
6 requirements or is accompanied by a person exempt from the hunting  
7 license requirements. When hunting big game, the accompanying  
8 hunter shall be within arm's length of the apprentice hunter or  
9 close enough so that the accompanying hunter can immediately take  
10 control of the firearm or archery equipment of the apprentice  
11 hunter. When hunting small game, the accompanying hunter shall be  
12 in sight of the apprentice hunter and shall be able to communicate  
13 with the apprentice hunter in a normal voice without the aid of any  
14 communication device.

15 D. Legal residents who do not possess a certificate of hunter  
16 safety may purchase a lifetime hunting license or lifetime  
17 combination hunting/fishing license with the designation  
18 "apprentice" listed on the hunter education line of the license. A  
19 resident holding a lifetime license with the apprentice designation  
20 shall be allowed to hunt only if they comply with the accompanying  
21 hunter requirements as set forth in subsection C of this section.  
22 Upon obtaining a certificate of hunter safety, a resident holding a  
23 lifetime license with the apprentice designation shall be entitled  
24 to renew their license without the apprentice designation.

1 E. The Department of Wildlife Conservation shall promulgate  
2 rules necessary for the certification of programs for hunter safety  
3 offered by other public or private organizations.

4 F. The provisions of this section shall not apply to any person  
5 who has an honorable discharge from the United States Armed Forces,  
6 who is currently on active duty in the United States Armed Forces or  
7 a member of the National Guard. In addition, the provisions of this  
8 section shall not apply to any person who is a resident landowner or  
9 a resident tenant, while hunting game other than deer or antelope,  
10 upon land owned or leased by the person. The provisions of this  
11 subsection shall not exempt nonresidents owning land in this state  
12 nor any person leasing land, for the purpose of hunting.

13 G. Any person convicted of violating the provisions of this  
14 section shall be punished by the imposition of a fine of not less  
15 than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars  
16 (\$200.00) or by imprisonment in the county jail for a period not to  
17 exceed thirty (30) days, or by both fine and imprisonment.

18 SECTION 2. It being immediately necessary for the preservation  
19 of the public peace, health and safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

22 COMMITTEE REPORT BY: COMMITTEE ON TOURISM & WILDLIFE, dated 4-5-11 -  
23 DO PASS, As Amended.  
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