

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1338

By: Renegar

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5
6 AS INTRODUCED

7 An Act relating to game and fish; amending 29 O.S.
8 2001, Section 4-112A, as last amended by Section 2,
9 Chapter 129, O.S.L. 2008 (29 O.S. Supp. 2010, Section
10 4-112A), which relates to the certificate of
11 competency and safety requirements; changing age
12 under which a certificate is required; changing age
13 for an accompanying licensed hunter; changing age for
14 an apprentice hunting license; and declaring an
15 emergency.

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

17 SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-112A, as
18 last amended by Section 2, Chapter 129, O.S.L. 2008 (29 O.S. Supp.
19 2010, Section 4-112A), is amended to read as follows:

20 Section 4-112A. A. No person ~~thirty five (35)~~ thirty (30)
21 years of age or younger may purchase or receive any hunting license
22 or hunting tag unless the person possesses and can exhibit a
23 certificate of competency and safety in the use and handling of
24 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. When hunting big game, the
2 accompanying hunter shall be within arm's length of the apprentice
3 hunter or close enough so that the accompanying hunter can
4 immediately take control of the firearm or archery equipment of the
5 apprentice hunter. When hunting small game, the accompanying hunter
6 shall be in sight of the apprentice hunter and shall be able to
7 communicate with the apprentice hunter in a normal voice without the
8 aid of any communication device.

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

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

22 F. The provisions of this section shall not apply to any person
23 who has an honorable discharge from the United States Armed Forces,
24 who is currently on active duty in the United States Armed Forces or

1 a member of the National Guard. In addition, the provisions of this
2 section shall not apply to any person who is a resident landowner or
3 a resident tenant, while hunting game other than deer or antelope,
4 upon land owned or leased by the person. The provisions of this
5 subsection shall not exempt nonresidents owning land in this state
6 nor any person leasing land, for the purpose of hunting.

7 G. Any person convicted of violating the provisions of this
8 section shall be punished by the imposition of a fine of not less
9 than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars
10 (\$200.00) or by imprisonment in the county jail for a period not to
11 exceed thirty (30) days, or by both fine and imprisonment.

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

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