

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1837

By: Johnson

4  
5  
6 AS INTRODUCED

7 An Act relating to game and fish; amending 29 O.S.  
8 2001, Section 4-112, as last amended by Section 4,  
9 Chapter 317, O.S.L. 2010 (29 O.S. Supp. 2010, Section  
10 4-112), which relates to hunting licenses; expanding  
11 license exemption for landowners; and providing an  
12 effective date.

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

14 SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-112, as  
15 last amended by Section 4, Chapter 317, O.S.L. 2010 (29 O.S. Supp.  
16 2010, Section 4-112), is amended to read as follows:

17 Section 4-112. A. Except as otherwise provided for in the  
18 Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae  
19 Act, no person may hunt, pursue, trap, harass, catch, kill, take or  
20 attempt to take in any manner, use, have in possession, sell, or  
21 transport all or any portion of any wildlife except fish, without  
22 having first procured a license from the Department of Wildlife  
23 Conservation. The Wildlife Conservation Commission shall designate  
24 a consecutive Saturday and Sunday in September of each year as free

1 hunting days in which residents of this state may hunt without first  
2 procuring a hunting license pursuant to the provisions of this  
3 section.

4 B. 1. Legal resident owners or tenants who hunt on land owned  
5 or leased by them shall be exempt from the annual hunting license  
6 requirements of this section.

7 2. The following legal residents of Oklahoma shall be exempt  
8 from the annual hunting license requirement of paragraph 1 of  
9 subsection E of this section and the following nonresidents shall be  
10 exempt from the annual nonresident hunting licenses required  
11 pursuant to paragraph 1 of subsection C of this section:

12 ~~1.~~ a. legal residents under sixteen (16) years of age~~;~~;

13 ~~2.~~ b. legal residents sixty-five (65) years of age or older  
14 provided they have obtained a senior citizen lifetime  
15 hunting or combination hunting and fishing license  
16 pursuant to the provisions of Section 4-114 of this  
17 title~~;~~;

18 ~~3.~~ c. legal residents born on or before January 1, 1923~~;~~;

19 ~~4.~~ d. legal resident veterans having a disability of sixty  
20 percent (60%) or more~~;~~

21 ~~5. Legal resident owners or tenants who hunt on land owned or~~  
22 ~~leased by them;~~;

23 ~~6.~~ e. any nonresident under fourteen (14) years of age~~;~~;

24



1        2. Annual hunting license for nonresidents hunting game other  
2 than deer, antelope, elk or bear which expires on June 30 of the  
3 fiscal year purchased - One Hundred Seventy-five Dollars (\$175.00).  
4 Nonresidents hunting big game or combination big game and upland  
5 game in a commercial hunting area shall be required to have this  
6 license;

7        3. Gun hunting license for deer for nonresidents which shall be  
8 valid for hunting all deer allowed during the current calendar year  
9 deer gun season - Two Hundred Seventy-nine Dollars (\$279.00);

10       4. Archery hunting license for deer for nonresidents which  
11 shall be valid for hunting all deer allowed during the current  
12 calendar year deer archery season - Two Hundred Seventy-nine Dollars  
13 (\$279.00);

14       5. Primitive firearms hunting license for deer for nonresidents  
15 which shall be valid for hunting all deer allowed during the current  
16 calendar year deer primitive firearms season - Two Hundred Seventy-  
17 nine Dollars (\$279.00);

18       6. Hunting license for antelope for nonresidents - Three  
19 Hundred Five Dollars (\$305.00);

20       7. Hunting license for elk for nonresidents - Three Hundred  
21 Five Dollars (\$305.00);

22       8. Five-day hunting license for nonresidents hunting game other  
23 than deer, antelope, elk, turkey or bear - Seventy-four Dollars  
24 (\$74.00); and

1           9. Ten-day hunting license for nonresidents hunting small game  
2 in a commercial hunting area - Five Dollars (\$5.00).

3           D. Of the fees collected pursuant to the provisions of  
4 subsection C of this section:

5           1. Five Dollars (\$5.00) of the license fee of each license  
6 issued pursuant to paragraphs 1 through 7 of subsection C of this  
7 section and Two Dollars and fifty cents (\$2.50) of the license fee  
8 for each license issued pursuant to paragraph 8 of subsection C of  
9 this section shall be deposited in the Wildlife Land Acquisition  
10 Fund created pursuant to the provisions of Section 4-132 of this  
11 title; and

12           2. Five Dollars (\$5.00) of the license fee for each license  
13 issued pursuant to paragraphs 1 through 8 of subsection C of this  
14 section shall be for the Oklahoma Wildlife Land Stamp and shall be  
15 deposited in the Oklahoma Wildlife Land Fund created pursuant to the  
16 provisions of Section 4-141 of this title.

17           E. Except as otherwise provided, the resident hunting licenses  
18 issued pursuant to this section and the fee for each license shall  
19 be:

20           1. Annual hunting license for residents eighteen (18) years of  
21 age and older which expires on December 31 of the year purchased -  
22 Twenty-four Dollars (\$24.00);

23

24

1        2. Annual hunting license for residents eighteen (18) years of  
2 age and older which expires on June 30 of the fiscal year purchased  
3 - Thirty-one Dollars (\$31.00);

4        3. Annual hunting license for residents sixteen (16) or  
5 seventeen (17) years of age which expires on December 31 of the year  
6 purchased - Four Dollars (\$4.00);

7        4. Annual hunting license for residents sixteen (16) or  
8 seventeen (17) years of age which expires on June 30 of the fiscal  
9 year purchased - Six Dollars (\$6.00);

10       5. Ten-day hunting license for residents for small game in a  
11 commercial hunting area - Five Dollars (\$5.00);

12       6. Five-year disability hunting license for residents of this  
13 state for at least six (6) months who are receiving Social Security  
14 Disability benefits, Supplemental Security Income benefits or  
15 disability benefits under the Railroad Retirement Act, 45 U.S.C.A.,  
16 Section 231a, or residents who are one-hundred-percent disabled and  
17 are receiving disability payments from the Multiple Injury Trust  
18 Fund pursuant to Section 173 of Title 85 of the Oklahoma Statutes -  
19 Ten Dollars (\$10.00);

20       7. Gun hunting license for deer for residents eighteen (18)  
21 years of age or older - Nineteen Dollars (\$19.00). The following  
22 persons shall be exempt:

23           a. residents with proper certification from the United  
24               States Department of Veterans Affairs or its

1 successor, certifying that the person is a disabled  
2 veteran in receipt of compensation at the one-hundred-  
3 percent rate, and

4 b. residents hunting in big game or combination big game  
5 and upland game commercial hunting areas;

6 8. Gun hunting license for deer for residents under eighteen  
7 (18) years of age - Nine Dollars (\$9.00);

8 9. Archery hunting license for deer for residents eighteen (18)  
9 years of age or older - Nineteen Dollars (\$19.00). The following  
10 persons shall be exempt:

11 a. residents with proper certification from the United  
12 States Department of Veterans Affairs or its  
13 successor, certifying that the person is a disabled  
14 veteran in receipt of compensation at the one-hundred-  
15 percent rate, and

16 b. residents hunting in big game or combination big game  
17 and upland game commercial hunting areas;

18 10. Archery hunting license for deer for residents under  
19 eighteen (18) years of age - Nine Dollars (\$9.00);

20 11. Primitive firearms hunting license for deer for residents  
21 eighteen (18) years of age or older - Nineteen Dollars (\$19.00).

22 The following persons shall be exempt:

23 a. residents with proper certification from the United  
24 States Department of Veterans Affairs or its

1 successor, certifying that the person is a disabled  
2 veteran in receipt of compensation at the one-hundred-  
3 percent rate, and

4 b. residents hunting in big game or combination big game  
5 and upland game commercial hunting areas;

6 12. Primitive firearms hunting license for deer for residents  
7 under eighteen (18) years of age - Nine Dollars (\$9.00);

8 13. Hunting license for elk for residents - Fifty Dollars  
9 (\$50.00). Residents hunting in big game or combination big game and  
10 upland game commercial hunting areas shall be exempt from this  
11 license;

12 14. Hunting license for antelope for residents - Fifty Dollars  
13 (\$50.00). Residents hunting in big game or combination big game and  
14 upland game commercial hunting areas shall be exempt from this  
15 license; and

16 15. Bonus, special or additional gun hunting license for deer  
17 for residents - Nineteen Dollars (\$19.00). The following persons  
18 shall be exempt:

19 a. residents with proper certification from the United  
20 States Department of Veterans Affairs or its  
21 successor, certifying that the person is a disabled  
22 veteran in receipt of compensation at the one-hundred-  
23 percent rate, and  
24

1           b.    residents hunting in big game or combination big game  
2                   and upland game commercial hunting areas.

3           F.    Of the fees collected pursuant to the provisions of  
4 paragraphs 1 and 2 of subsection E of this section, Five Dollars  
5 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land  
6 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund  
7 created pursuant to the provisions of Section 4-141 of this title.

8           G.    The provisions of this section shall not be construed to  
9 require a hunting license, resident or nonresident, of any person  
10 merely because the person participates, as owner or handler of an  
11 entry, as an official, or as a spectator in the conduct of a field  
12 trial or performance test of dogs, whether a resident or nonresident  
13 of the State of Oklahoma. No license to hunt shall be required of  
14 any person engaged in training or working dogs, provided that person  
15 is in no way engaged in hunting and does not take or attempt to take  
16 in any manner any game.

17           H.    1. Any person arrested for hunting game other than deer,  
18 antelope, elk, bear or turkey without a valid hunting license as  
19 required by the provisions of subsection A of this section may  
20 purchase a substitute temporary thirty-day license from the  
21 arresting game warden in lieu of posting bond. Proof of hunter  
22 safety certification will not be required for the temporary  
23 substitute license. The fee for a substitute license purchased  
24 pursuant to the provisions of this subsection shall be:

- 1           a.    for legal residents, Fifty Dollars (\$50.00), and  
2           b.    for nonresidents, One Hundred Forty-five Dollars  
3                   (\$145.00).

4           2.    Except as otherwise provided for by this subsection, the  
5 fees from licenses purchased pursuant to the provisions of this  
6 subsection shall be deposited in the Wildlife Conservation Fund to  
7 be used exclusively for developing, managing, preserving, and  
8 protecting wildlife and wildlife habitat.

9           I.    Any person producing proof in court that a current hunting  
10 license issued by the Department of Wildlife Conservation to that  
11 person was in force at the time of the alleged offense shall be  
12 entitled to dismissal of a charge of violating this section upon  
13 payment of court costs. If proof of a current hunting license  
14 issued by the Department to the person that was in force at the time  
15 of the alleged offense is presented to the court or district  
16 attorney within seventy-two (72) hours after the violation, the  
17 charge shall be dismissed without payment of court costs.

18           J.    Unless a substitute license is purchased as provided for by  
19 subsection H of this section, any resident convicted of violating  
20 the provisions of this section shall be punished by the imposition  
21 of a fine of not less than Twenty-five Dollars (\$25.00) nor more  
22 than Two Hundred Dollars (\$200.00), or by imprisonment in the county  
23 jail for a period not to exceed thirty (30) days, or by both.

1 K. Unless a substitute license is purchased as provided for by  
2 subsection H of this section, any nonresident convicted of violating  
3 the provisions of this section shall be punished by the imposition  
4 of a fine of not less than Two Hundred Dollars (\$200.00) nor more  
5 than Five Hundred Dollars (\$500.00), or by imprisonment in the  
6 county jail for a period not to exceed six (6) months, or by both.

7 SECTION 2. This act shall become effective September 1, 2011.

8

9 53-1-5813 CJB 01/05/11

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24