

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2609

By: Blackwell

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5  
6 AS INTRODUCED

7 An Act relating to game and fish; amending 29 O.S.  
8 2011, Section 5-213, which relates to bows;  
9 prohibiting the use of certain equipment when hunting  
10 antelope; amending 29 O.S. 2011, Section 5-401, which  
relates to seasons; providing limitation on antelope  
date.

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

14 SECTION 1. AMENDATORY 29 O.S. 2011, Section 5-213, is  
15 amended to read as follows:

16 Section 5-213. ~~The~~ A. Except as provided in subsection B of  
17 this section, the use of crossbows and conventional longbows with a  
18 device that permits the bow to be held mechanically at full or  
19 partial draw, shall be a legal hunting method during any open season  
20 when conventional longbows are a legal means of take.

21 B. The use of crossbows and conventional longbows with a device  
22 that permits the bow to be held mechanically at full or partial draw  
23 shall not be a legal hunting method during any antelope archery  
24 season.

1 SECTION 2. AMENDATORY 29 O.S. 2011, Section 5-401, is  
2 amended to read as follows:

3 Section 5-401. A. ~~The~~ Except as provided in subsection J of  
4 this section, the Wildlife Conservation Commission is authorized to  
5 declare an open season on wildlife in any counties or parts of  
6 counties of this state where, in the judgment of the Commission,  
7 such wildlife exists in sufficient quantity to warrant such open  
8 season, and such open season shall be declared by Commission  
9 resolution not less than ten (10) days before the season is opened.

10 B. The Commission may designate any two (2) consecutive days  
11 after the open season declared for hunting deer to be senior  
12 citizen's hunting days. During those two (2) days only legal  
13 residents of Oklahoma who are sixty-four (64) years of age or older  
14 may hunt deer provided the person has a valid license as otherwise  
15 provided by law.

16 C. The Commission is further authorized to declare an open  
17 season on mountain lions and black bears.

18 D. The Commission is further authorized to prescribe rules  
19 necessary to the proper conduct and policing of such open season,  
20 the amount and kind of wildlife that may be taken, and the dates and  
21 time limits of such season.

22 E. The Commission is further authorized to require any person  
23 participating in such open season or hunting in open areas during  
24 open season to procure, under rules prescribed by the Commission, a

1 special permit or license to participate in such season or hunt in  
2 such areas during open season and to charge residents not to exceed  
3 Twenty Dollars (\$20.00), nonresidents not to exceed Seventy-five  
4 Dollars (\$75.00) and further providing that Five Dollars (\$5.00) of  
5 this fee shall be set aside for compensation to Oklahoma surface  
6 holders participating in the Acres for Wildlife Program at a rate to  
7 be determined by the Wildlife Conservation Commission. No  
8 exemptions shall be permitted.

9 F. Open seasons, closed seasons, bag limits, catch limits,  
10 possession limits and territorial limitations set forth in the  
11 statutes of this state, pertaining to wildlife of every sort, are  
12 hereby declared to be based on the existence of a normal population  
13 of such species of wildlife, compatible with and not damaging to the  
14 proper agricultural use of the lands of the state.

15 G. Such seasons, catch limits, bag limits, possession limits  
16 and territorial limitations as set by statute shall prevail and be  
17 in full force and effect for each and every species of wildlife to  
18 which they pertain so long as the population or numbers of such  
19 wildlife species remain normal or are not damaging or endangering  
20 crops or proper agricultural use of the lands of the state.

21 H. The Commission in session, and after having given ten (10)  
22 days' public notice of such meeting being called and the purpose of  
23 such meeting, the species of wildlife to be considered and the  
24 reasons therefor, shall have the right to determine if there does or

1 does not exist a normal population of the wildlife species under  
2 consideration, which does or does not endanger the crops of the  
3 state or of any certain areas, or the agricultural use of the lands  
4 therein. In the event the consideration is other than statewide,  
5 the Commission shall meet at the most convenient place to the people  
6 of the area in the area being considered. All meetings shall be  
7 open to the public and proper records of those appearing and  
8 testifying shall be made. If the Commission, after hearing and  
9 after investigation, finds that the populations of the wildlife  
10 species under hearing are not normal or that they are not compatible  
11 to the agricultural use of the lands or are damaging or endangering  
12 the farm crops of the area, they shall, by administrative order,  
13 make the necessary changes by either extending, shortening, opening  
14 or closing such seasons, and change such bag limits, catch limits  
15 and possession limits, and regulate methods or devices for taking,  
16 killing or capturing of the wildlife species affected in any area or  
17 areas covered by the notice of meeting and hearing, except as  
18 otherwise set by the Legislature.

19 I. Such administrative order shall take effect after  
20 publication in at least one newspaper of general state circulation,  
21 or in a newspaper having circulation in the territory affected. A  
22 copy of all such orders shall, before publication, be filed with the  
23 Secretary of State, and such order shall not be construed as  
24 authorizing the Commission to change any penalty for violating any

1 game law or regulation or change the amount of any license  
2 established by the Legislature.

3 J. 1. No person may hunt, kill, capture or otherwise take or  
4 destroy any antelope, except from August 15 to the day before the  
5 first day of whitetail deer archery season, both dates inclusive.

6 2. Nothing contained in this subsection shall prevent the  
7 killing of exotic livestock. For purposes of this subsection, the  
8 term "exotic livestock" means commercially raised exotic livestock  
9 including animals of the antilocapridae group.

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

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12 53-2-8211 CJB 01/11/12

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