

05/15/2013 11:10:23 AM

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB1426

By: Biggs of the House and Justice of the Senate

Title: Game and fish; modifying wildlife check-in procedures and penalties; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

1 HB1426 CCR (A)

2 **HOUSE CONFEREES**

3
4 Armes, Don

Bennett, John



5 Biggs, Scott R.



Casey, Dennis



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7 DeWitt, Dale



Enns, John



8 Hickman, Jeffrey W.



Kouplen, Steve



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10 Lockhart, James



McDaniel, Curtis



11 Newell, Tom



Renegar, Brian



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13 Sanders, Mike



Shoemaker, Jerry



14 Trebilcock, John



Vaughan, Steve



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16 Wright, Harold



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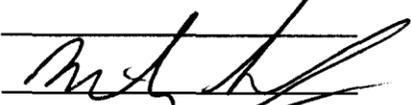
HB1426 CCR A

SENATE CONFEREES

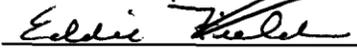
Justice



Coates



Schulz



Fields

Garrison

Sparks



1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 1426

By: Biggs of the House

and

Justice of the Senate

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10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to game and fish; amending 29 O.S.
12 2011, Section 4-101, which relates to license usage;
13 expanding information to be included during wildlife
14 check-in; providing for electronic check-in of
15 wildlife; specifying time period for electronic
16 check-in; expanding prohibition for providing false
17 information; modifying penalties for certain
18 violations; requiring certain licenses to be revoked
19 upon conviction of certain violation; specifying
20 revocation period; prohibiting issuance of certain
21 licenses during revocation period; directing the
22 court to provide copy of judgment; defining term; and
23 providing an effective date

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

SECTION 1. AMENDATORY 29 O.S. 2011, Section 4-101, is
amended to read as follows:

Section 4-101. A. All licenses and permits issued by the
Director of Wildlife Conservation, the Department of Wildlife

1 Conservation or by any of its agents shall be used only in
2 conformity with the provisions of this title and the rules
3 promulgated by the Oklahoma Wildlife Conservation Commission.

4 B. All persons making application for any licenses required by
5 this section shall produce a valid license to operate a motor
6 vehicle or other positive proof of identification, age and
7 residency, and any such license issued shall show such data as well
8 as the date and time of issuance.

9 C. All licenses are nontransferable. No person shall alter,
10 change, lend or transfer any license. No person shall use or borrow
11 a license which has not been issued to that person by the Director,
12 the Department or by any of its agents pursuant to the provisions of
13 this section.

14 D. No person may engage in activities requiring a license
15 without that person's carrying such license on their person and
16 producing the same for an inspection upon the demand of any Oklahoma
17 citizen or game warden.

18 E. Any person required to produce a license must also identify
19 themselves as the person to whom such license was issued, and
20 failure or refusal to comply shall be deemed prima facie evidence of
21 a violation of this section.

22 F. Unless otherwise provided in this Code:

23 1. Hunting licenses issued pursuant to paragraph 1 of
24 subsection C and paragraphs 1 and 3 of subsection E of Section 4-112

1 of this title and paragraphs 1 and 3 of subsection B of Section 4-
2 113 of this title shall expire on December 31 of the year issued.
3 Hunting licenses issued pursuant to paragraph 2 of subsection C and
4 paragraphs 2 and 4 of subsection E of Section 4-112 of this title
5 and paragraphs 2 and 4 of subsection B of Section 4-113 of this
6 title shall expire on June 30 of the fiscal year issued. All other
7 licenses shall terminate December 31 for the year issued; and

8 2. Any person convicted of violating any of the provisions of
9 this title may have any or all licenses held by that person or the
10 privilege of applying for, purchasing or exercising the benefits
11 conferred by the licenses revoked by the Department in accordance
12 with rules promulgated by the Commission or by a court of competent
13 jurisdiction for a period of not less than one (1) year. For
14 purposes of this paragraph, a court conviction, a plea of guilty, a
15 plea of nolo contendere, the imposition of a deferred or suspended
16 sentence by a court, or forfeiture of bond shall be deemed a
17 conviction.

18 G. Should any license or permit issued pursuant to Part 1 of
19 Article IV of this title be lost or destroyed, duplicates will be
20 issued by the Department at a fee of One Dollar and fifty cents
21 (\$1.50).

22 H. Upon harvesting any whitetail or mule deer, or any other
23 wildlife where the hunter, according to Commission rules, is
24

1 required to check the wildlife in at a Department check station, the
2 taker of the wildlife shall:

3 1. Securely attach the name of the taker, time of harvest, date
4 of harvest and license number to the carcass of the wildlife;

5 2. ~~Transport to and check~~ Check in the carcass of the wildlife
6 ~~at the nearest hunter~~ electronically using the online check station
7 ~~that is open or with an authorized Department employee~~ provided on
8 the official website of the Oklahoma Department of Wildlife
9 Conservation or as prescribed by rule of the Commission, within
10 twenty-four (24) hours of leaving the hunt area and in all cases
11 prior to processing the carcass; and

12 3. Not remove evidence of the sex of the animal until after the
13 carcass of the animal has been checked in.

14 I. It shall be unlawful for any license or permit holder to
15 knowingly make a false statement or give false information to any
16 ~~person operating an~~ authorized hunter check station or to an
17 authorized Department employee when complying with the provisions of
18 subsection H of this section. Information which may be collected at
19 a Department check station shall include but not be limited to the
20 name, address, license or permit number and signature of the taker,
21 the date, time, county, method or weapon of the kill, sex and weight
22 of carcass, whether or not the animal was taken on public hunting
23 land and if so in what area, or any other information which may be
24 required by the Commission.

1 J. 1. Any person convicted of violating the provisions of this
2 section or of making a false statement or giving any false
3 information in order to acquire any license or permit, pursuant to
4 the provisions of this section, shall be punishable by a fine of not
5 less than ~~Twenty-five Dollars (\$25.00)~~ One Hundred Dollars (\$100.00)
6 nor more than ~~One Hundred Dollars (\$100.00)~~ Two Hundred Fifty
7 Dollars (\$250.00), or by imprisonment in the county jail for a
8 period not to exceed ten (10) days, or by both such fine and
9 imprisonment. Any person convicted of a second or subsequent
10 violation of the provisions of this section or of making a false
11 statement or giving any false information in order to acquire any
12 license or permit, pursuant to the provisions of this section, shall
13 be punishable by a fine of not less than Two Hundred Fifty Dollars
14 (\$250.00) nor more than Seven Hundred Fifty Dollars (\$750.00), or by
15 imprisonment in the county jail for a period not to exceed ten (10)
16 days, or by both such fine and imprisonment.

17 2. Any hunting or fishing license issued to a person by the
18 Department of Wildlife Conservation shall be automatically revoked
19 upon conviction of the person of violating the provisions of this
20 section. The revocation shall be for a period set by the court of
21 not less than one (1) year nor more than ten (10) years. If the
22 court does not set a period, the revocation shall be for one (1)
23 year from the date of the conviction. During this period of
24 revocation, the Department shall not issue the person a hunting or

1 fishing license. If the court does not set a revocation period, the
2 Department shall not issue that person a license within one (1) year
3 of the conviction of the person pursuant to this section. A person
4 who has a license or permit revoked pursuant to this section shall
5 surrender the revoked license or permit to the court. The court
6 shall send the Department of Wildlife Conservation the revoked
7 license and a copy of the judgment of conviction. For purposes of
8 this section, "conviction" shall include a plea of guilty or nolo
9 contendere to an offense or the imposition of deferred adjudication
10 for an offense.

11 K. Any person who has had their license privileges revoked
12 shall not be entitled to purchase, apply for, or exercise the
13 benefits conferred by any license until the revocation period has
14 expired or the person has obtained approval from the Director. Any
15 person violating the provisions of this subsection, upon conviction,
16 shall be punished by a fine of not more than Five Hundred Dollars
17 (\$500.00), or by imprisonment in a county jail for a term of not
18 more than ninety (90) days or by both the fine and imprisonment.
19 Upon conviction under this subsection, the previously granted
20 license revocation period shall be extended by two (2) additional
21 years.

22 SECTION 2. This act shall become effective November 1, 2013.
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24 54-1-8056 KB 05/09/13

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