

1 ENGROSSED SENATE
2 BILL NO. 324

By: Wyrick of the Senate

3 and

4 Glenn of the House

5
6 An Act relating to game and fish; amending 29 O.S.
7 2011, Section 6-302, which relates to the taking of
8 game fish; allowing certain game fish to be taken by
9 noodling; and providing an effective date.

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

11 SECTION 1. AMENDATORY 29 O.S. 2011, Section 6-302, is
12 amended to read as follows:

13 Section 6-302. A. No person may take, kill or catch from any
14 river, creek, lake, state pond or privately owned pond which is
15 stocked by state or federal fish hatchery any game fish except by
16 means of hook and line attached to a pole or rod, throwline,
17 trotline or with speargun used by divers equipped with self-
18 contained underwater breathing apparatus, except for white bass
19 which may be taken by the use of a gig and blue and channel catfish
20 which may be taken by noodling; nor may any person sell, offer to
21 sell or have in possession for the purpose of selling any game fish.
22 Game species open to taking by speargun include all except black
23 bass, crappie, striped bass, walleye, northern pike and trout. Upon
24 receiving information that damage to the fish population is

1 occurring in any of the waters of this state, the Wildlife
2 Conservation Commission shall give notice and hold a hearing to
3 determine such fact and may, upon good cause shown, regulate the
4 taking of fish to any extent necessary to protect fish in said
5 waters of this state.

6 B. Fish taken under ~~the above~~ subsection A of this section
7 shall be in accordance with the method of taking, length limits and
8 bag limits which shall be set by Commission resolution. Except in
9 certain areas specifically designated as less in rules promulgated
10 by the Wildlife Conservation Commission, the Commission shall not
11 promulgate any rule restricting a person from using less than seven
12 rods while fishing.

13 C. No nonresident may have upon leaving the state more than a
14 two-day bag limit of any species of game fish.

15 D. It shall be unlawful for any person to use in the waters of
16 this state a speargun having more than three points with more than
17 two barbs on each point.

18 E. 1. The portions of the Illinois River and its tributaries
19 above the Horseshoe Bend Boat Ramp on Tenkiller Reservoir shall be
20 open for the taking of nongame fish and white bass by gigging from
21 December 1 through March 1 of each year. The portions of the
22 Illinois River and its tributaries above Highway 62 and Highway 51
23 shall be open for the taking of nongame fish and white bass by
24 gigging from December 1 through March 31 of each year.

1 2. Nothing shall prohibit motorized boats from being used in
2 the upper Illinois River above the Horseshoe Bend boat ramp except
3 that jet skis, jet boats and similar non-propeller-driven watercraft
4 shall be prohibited in the Illinois River above the confluence with
5 Barren Fork Creek.

6 F. 1. Except as otherwise provided for in this subsection, any
7 person convicted of violating any of the provisions of this section
8 shall be punished by a fine of not less than Twenty-five Dollars
9 (\$25.00) nor more than One Hundred Dollars (\$100.00).

10 2. Any person convicted of violating any provisions of this
11 section by netting, snaglining or selling game fish shall be
12 punished by imposition of a fine of not less than One Hundred
13 Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or
14 by imprisonment in the county jail for a period not to exceed thirty
15 (30) days, or by both such fine and imprisonment. Any person, upon
16 conviction of a second or subsequent violation of the provisions of
17 this section by netting, snaglining or selling game fish when said
18 violation occurred within two (2) years of a previous conviction for
19 violating said provisions, shall be punished by a fine of not less
20 than Five Hundred Dollars (\$500.00) nor more than One Thousand
21 Dollars (\$1,000.00), or by imprisonment in the county jail for a
22 period not to exceed ninety (90) days, or by both such fine and
23 imprisonment. In addition, all fishing licenses and fishing
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1 privileges within the state of such person shall be revoked for a
2 period of one (1) year from the date of such conviction.

3 SECTION 2. This act shall become effective November 1, 2013.

4 Passed the Senate the 11th day of March, 2013.

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Presiding Officer of the Senate

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8 Passed the House of Representatives the ____ day of _____,
9 2013.

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Presiding Officer of the House
of Representatives

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