HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1926 By: DeWitt

COMMITTEE SUBSTITUTE

An Act relating to game and fish; amending 29 O.S. 2011, Section 4-112, which relates to hunting licenses; modifying cost of certain nonresident license options; modifying certain temporary license eligibility; modifying cost of certain temporary license; and providing an effective date.

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

SECTION 1. AMENDATORY 29 O.S. 2011, Section 4-112, is amended to read as follows:

Section 4-112. A. Except as otherwise provided for in the Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae Act, no person may hunt, pursue, trap, harass, catch, kill, take or attempt to take in any manner, use, have in possession, sell, or transport all or any portion of any wildlife except fish, without having first procured a license from the Department of Wildlife Conservation. The Wildlife Conservation Commission shall designate

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a consecutive Saturday and Sunday in September of each year as free hunting days in which residents of this state may hunt without first procuring a hunting license pursuant to the provisions of this section.

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

1. Legal residents under sixteen (16) years of age;

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

3. Legal residents born on or before January 1, 1923;

4. Legal resident veterans having a disability of sixty percent (60%) or more;

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

6. Any nonresident under fourteen (14) years of age;

7. Legal residents having a proven disability which renders them nonambulatory and confines them to a wheelchair, as certified

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by a physician licensed in this state or in any state which borders this state;

8. Any legal resident or nonresident under eighteen (18) years of age who is in the physical custody of a child care facility as defined by Section 402 of Title 10 of the Oklahoma Statutes; and

9. Any legal resident or nonresident hunting, pursuing, trapping, harassing, catching, killing, taking, or attempting to take in any manner any species of rattlesnake during an organized rattlesnake-hunting event or festival and who has a rattlesnake permit issued pursuant to Section 4-143 of this title.

C. Except as otherwise provided for in the Oklahoma Wildlife Conservation Code, the nonresident hunting licenses issued pursuant to this section and the fee for each license shall be:

1. Annual hunting license for nonresidents hunting game other than deer, antelope, elk or bear which expires on December 31 of the year purchased – One Hundred Forty-one Dollars ($141.00). Nonresidents hunting big game or combination big game and upland game in a commercial hunting area shall be required to have this license;

2. Annual hunting license for nonresidents hunting game other than deer, antelope, elk or bear which expires on June 30 of the fiscal year purchased – One Hundred Seventy-five Dollars ($175.00). Nonresidents hunting big game or combination big game and upland

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game in a commercial hunting area shall be required to have this license;

3. Gun hunting license for deer for nonresidents which shall be valid for hunting all deer allowed during the current calendar year deer gun season - ~~Two Hundred Seventy-nine Dollars ($279.00)~~ Three Hundred Forty-nine Dollars ($349.00);

4. Archery hunting license for deer for nonresidents which shall be valid for hunting all deer allowed during the current calendar year deer archery season - ~~Two Hundred Seventy-nine Dollars ($279.00)~~ Three Hundred Forty-nine Dollars ($349.00);

5. Primitive firearms hunting license for deer for nonresidents which shall be valid for hunting all deer allowed during the current calendar year deer primitive firearms season - ~~Two Hundred Seventy-nine Dollars ($279.00)~~ Three Hundred Forty-nine Dollars ($349.00);

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

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

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

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

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

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

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

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

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

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

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

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

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

6. Five-year disability hunting license for residents of this state for at least six (6) months who are receiving Social Security Disability benefits, Supplemental Security Income benefits or disability benefits under the Railroad Retirement Act, 45 U.S.C.A., Section 231a, or residents who are one-hundred-percent disabled and are receiving disability payments from the Multiple Injury Trust Fund pursuant to Section ~~173~~ 403 of Title 85 of the Oklahoma Statutes - Ten Dollars ($10.00);

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

a. residents with proper certification from the United States Department of Veterans Affairs or its successor, certifying that the person is a disabled

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veteran in receipt of compensation at the one-hundred-percent rate, and

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

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

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

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

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

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

11. Primitive firearms hunting license for deer for residents eighteen (18) years of age or older - Nineteen Dollars ($19.00). The following persons shall be exempt:

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

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

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

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

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

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

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

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

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

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

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

H. 1. Any person arrested for hunting game other than deer, antelope, elk, bear or turkey without a valid hunting license as required by the provisions of subsection A of this section may purchase a substitute temporary thirty-day license from the arresting game warden in lieu of posting bond. Proof of hunter safety certification ~~will not~~ shall be required for the temporary

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substitute license. The fee for a substitute license purchased pursuant to the provisions of this subsection shall be:

a. for legal residents, ~~Fifty Dollars ($50.00)~~ One Hundred Dollars ($100.00), and

b. for nonresidents, ~~One Hundred Forty-five Dollars ($145.00)~~ Two Hundred Ninety Dollars ($290.00).

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

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

J. Unless a substitute license is purchased as provided for by subsection H of this section, any resident convicted of violating the provisions of this section shall be punished by the imposition

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of a fine of not less than Twenty-five Dollars ($25.00) nor more than Two Hundred Dollars ($200.00), or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both.

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

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

COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND WILDLIFE, dated 02/12/2013 - DO PASS, As Amended.

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