

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1925

By: DeWitt

4
5
6 AS INTRODUCED

7 An Act relating to game and fish; amending 29 O.S.
8 2011, Sections 4-110 and 4-112, which relate to
9 hunting licenses; modifying cost of certain hunting
and fishing license options; and providing an
effective date.

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

13 SECTION 1. AMENDATORY 29 O.S. 2011, Section 4-110, is
14 amended to read as follows:

15 Section 4-110. A. Except as otherwise provided in the Oklahoma
16 Wildlife Conservation Code, no person shall fish, pursue, harass,
17 catch, kill, take in any manner, use, have in possession, sell, or
18 transport all or any portion of fish without having first procured a
19 license for such from the Director or from any of the authorized
20 agents of the Department of Wildlife Conservation. The Wildlife
21 Conservation Commission may designate two (2) days per year in which
22 residents and nonresidents may fish without first procuring a
23 fishing license pursuant to the provisions of this section.

1 B. The following legal residents of Oklahoma shall be exempt
2 from the annual fishing license requirements of subsection C of this
3 section and the following nonresidents shall be exempt from the
4 annual nonresident fishing licenses required pursuant to subsection
5 E of this section:

6 1. Legal residents under sixteen (16) years of age and
7 nonresidents under sixteen (16) years of age from states which do
8 not require nonresident fishing licenses for persons under sixteen
9 (16) years of age;

10 2. Legal residents sixty-five (65) years of age or older and
11 nonresidents sixty-five (65) years of age or older from states which
12 do not require nonresident fishing licenses for persons sixty-five
13 (65) years of age or older, provided a legal resident has obtained a
14 senior citizen lifetime fishing or combination hunting and fishing
15 license pursuant to the provisions of Section 4-114 of this title;

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

17 4. Legal resident veterans having a disability of sixty percent
18 (60%) or more;

19 5. Legal resident owners or tenants, their spouses, parents,
20 grandparents, children and their spouses, grandchildren and their
21 spouses who fish in private ponds on land owned or leased by them;

22 6. Any legal resident or nonresident who is a patient of an
23 institution of the State of Oklahoma established for the care and
24 treatment of mental illness or alcohol or drug dependency or any

1 developmentally disabled person residing in any group home or other
2 institution or developmentally disabled persons when accompanied by
3 an attendant of the institution or legal guardian of the patient, or
4 when fishing on institutional property;

5 7. Any legal resident or nonresident under eighteen (18) years
6 of age who is in the legal and physical custody of the State of
7 Oklahoma or one of its agencies by court order;

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

11 9. Any legal resident or nonresident who is legally blind or
12 who has any other physical impairment, as certified by a physician
13 licensed in this state or any state which borders this state, which
14 prevents the person from properly using fishing apparatus without
15 the assistance of another person, and any one person actually
16 accompanying and actually assisting such legally blind or otherwise
17 physically impaired person while the latter is fishing. This
18 certification shall be carried by the individual while fishing;

19 10. Nonresidents under fourteen (14) years of age;

20 11. Any legal resident or nonresident who is a Job Corps
21 trainee of this state, provided that the trainees shall have on
22 their persons a duly authorized identification card issued by their
23 respective Job Corps Center and shall present the card upon request,
24 in lieu of a fishing license. The trainees shall return their cards

1 to their respective Job Corps Center when the trainees leave their
2 respective Job Corps training programs;

3 12. Any legal resident having a proven disability which renders
4 the resident nonambulatory and confined to a wheelchair as certified
5 by a physician licensed in this state or any state which borders
6 this state;

7 13. Any legal resident who is fishing with a pole and line,
8 trotline, or throwline in streams, natural lakes, natural ponds, and
9 mine pits in the county in which the person is a resident, or in
10 streams, natural lakes, natural ponds, and mine pits which form a
11 part of the boundary line of the county in which the person is a
12 resident, when using any bait other than commercial or artificial
13 bait, blood, stink bait, cut fish, and shrimp; and

14 14. Any legal resident or nonresident participating in an
15 aquatic education event or clinic sanctioned by the Department of
16 Wildlife Conservation.

17 C. Except as otherwise provided for in the Oklahoma Wildlife
18 Conservation Code, the resident fishing licenses issued pursuant to
19 the provisions of this section and the fee for each shall be:

20 1. Annual fishing license for legal residents eighteen (18)
21 years of age and older - Twenty-four Dollars (\$24.00);

22 2. Annual fishing license for legal residents sixteen (16) or
23 seventeen (17) years of age - Four Dollars (\$4.00); and

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1 3. Two-day fishing license for legal residents - Fourteen
2 Dollars (\$14.00).

3 D. Of the fees collected pursuant to the provisions of
4 paragraphs 1 and 3 of subsection C 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 E. Except as otherwise provided for in the Oklahoma Wildlife
9 Conservation Code, the nonresident fishing licenses issued pursuant
10 to the provisions of this section and the fee for each shall be:

11 1. Annual fishing license for nonresidents - Fifty-four Dollars
12 (\$54.00), provided the Commission may enter into reciprocity
13 agreements with states wherein nonresident license fees shall be in
14 conformity with such reciprocal agreements; and

15 2. Six-day fishing license for nonresidents - Thirty-four
16 Dollars (\$34.00).

17 F. Of the fees collected pursuant to the provisions of
18 paragraphs 1 and 2 of subsection E of this section, Five Dollars
19 (\$5.00) of the annual license fee for nonresidents, and One Dollar
20 and fifty cents (\$1.50) of the six-day fishing license for
21 nonresidents fee shall be deposited in the Wildlife Land Acquisition
22 Fund created pursuant to the provisions of Section 4-132 of this
23 title. Of the fees collected pursuant to the provisions of
24 paragraphs 1 and 2 of subsection E of this section, Five Dollars

1 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
2 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
3 created pursuant to the provisions of Section 4-141 of this title.

4 G. Legal residents who have resided in this state for at least
5 six (6) months and who are receiving Social Security Disability
6 benefits, Supplemental Security Income benefits, disability benefits
7 under the Railroad Retirement Act, 45 U.S.C.A., Section 231a,
8 postal employees receiving disability benefits pursuant to 5,
9 U.S.C., Section 8451 (1998) or legal residents who are one hundred
10 percent (100%) disabled and are receiving disability payments from
11 the Multiple Injury Trust Fund pursuant to Section ~~173~~ 403 of Title
12 85 of the Oklahoma Statutes, may purchase a disability fishing
13 license from the Director for ~~Ten Dollars (\$10.00)~~ Twenty-five
14 Dollars (\$25.00) for five (5) years.

15 H. 1. Any person arrested while violating the provisions of
16 this section who does not meet the requirements of subsection K of
17 this section, may purchase a substitute temporary thirty-day license
18 from the arresting game warden in lieu of posting bond. The fee for
19 a substitute license purchased pursuant to the provisions of this
20 subsection shall be:

- 21 a. for legal residents, Fifty Dollars (\$50.00), and
- 22 b. for nonresidents, Ninety Dollars (\$90.00).

23 2. Except as otherwise provided by this subsection, the fees
24 from licenses purchased pursuant to the provisions of this

1 subsection shall be deposited in the Wildlife Conservation Fund to
2 be used exclusively for developing, managing, preserving, and
3 protecting wildlife and wildlife habitat.

4 I. Unless a substitute license is purchased as provided for by
5 subsection H of this section, any resident of this state convicted
6 of violating the provisions of this section shall be punished by the
7 imposition of a fine of not less than Twenty-five Dollars (\$25.00)
8 nor more than Two Hundred Dollars (\$200.00) or by imprisonment in
9 the county jail for a period not to exceed thirty (30) days, or by
10 both said fine and imprisonment.

11 J. Unless a substitute license is purchased as provided for by
12 subsection H of this section, any nonresident convicted of violating
13 this section shall be punished by a fine of not less than Fifty
14 Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) or by
15 imprisonment in the county jail for a period not more than thirty
16 (30) days, or by both such fine and imprisonment.

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

3 SECTION 2. AMENDATORY 29 O.S. 2011, Section 4-112, is
4 amended to read as follows:

5 Section 4-112. A. Except as otherwise provided for in the
6 Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae
7 Act, no person may hunt, pursue, trap, harass, catch, kill, take or
8 attempt to take in any manner, use, have in possession, sell, or
9 transport all or any portion of any wildlife except fish, without
10 having first procured a license from the Department of Wildlife
11 Conservation. The Wildlife Conservation Commission shall designate
12 a consecutive Saturday and Sunday in September of each year as free
13 hunting days in which residents of this state may hunt without first
14 procuring a hunting license pursuant to the provisions of this
15 section.

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

- 21 1. Legal residents under sixteen (16) years of age;
 - 22 2. Legal residents sixty-five (65) years of age or older
- 23 provided they have obtained a senior citizen lifetime hunting or
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1 combination hunting and fishing license pursuant to the provisions
2 of Section 4-114 of this title;

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

4 4. Legal resident veterans having a disability of sixty percent
5 (60%) or more;

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

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

9 7. Legal residents having a proven disability which renders
10 them nonambulatory and confines them to a wheelchair, as certified
11 by a physician licensed in this state or in any state which borders
12 this state;

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

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

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

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- 1 1. Annual hunting license for nonresidents hunting game other
2 than deer, antelope, elk or bear which expires on December 31 of the
3 year purchased - One Hundred Forty-one Dollars (\$141.00).
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 2. Annual hunting license for nonresidents hunting game other
8 than deer, antelope, elk or bear which expires on June 30 of the
9 fiscal year purchased - One Hundred Seventy-five Dollars (\$175.00).
10 Nonresidents hunting big game or combination big game and upland
11 game in a commercial hunting area shall be required to have this
12 license;
- 13 3. Gun hunting license for deer for nonresidents which shall be
14 valid for hunting all deer allowed during the current calendar year
15 deer gun season - Two Hundred Seventy-nine Dollars (\$279.00);
- 16 4. Archery hunting license for deer for nonresidents which
17 shall be valid for hunting all deer allowed during the current
18 calendar year deer archery season - Two Hundred Seventy-nine Dollars
19 (\$279.00);
- 20 5. Primitive firearms hunting license for deer for nonresidents
21 which shall be valid for hunting all deer allowed during the current
22 calendar year deer primitive firearms season - Two Hundred Seventy-
23 nine Dollars (\$279.00);
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1 6. Hunting license for antelope for nonresidents - Three
2 Hundred Five Dollars (\$305.00);

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

5 8. Five-day hunting license for nonresidents hunting game other
6 than deer, antelope, elk, turkey or bear - Seventy-four Dollars
7 (\$74.00); and

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

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

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

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

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

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

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

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

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

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

18 6. Five-year disability hunting license for residents of this
19 state for at least six (6) months who are receiving Social Security
20 Disability benefits, Supplemental Security Income benefits or
21 disability benefits under the Railroad Retirement Act, 45 U.S.C.A.,
22 Section 231a, or residents who are one-hundred-percent disabled and
23 are receiving disability payments from the Multiple Injury Trust
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1 Fund pursuant to Section ~~173~~ 403 of Title 85 of the Oklahoma
2 Statutes - ~~Ten Dollars (\$10.00)~~ Twenty-five Dollars (\$25.00);

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

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

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

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

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

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

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

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

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

5 The following persons shall be exempt:

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

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

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

15 13. Hunting license for elk for residents - Fifty Dollars
16 (\$50.00). Residents hunting in big game or combination big game and
17 upland game commercial hunting areas shall be exempt from this
18 license;

19 14. Hunting license for antelope for residents - Fifty Dollars
20 (\$50.00). Residents hunting in big game or combination big game and
21 upland game commercial hunting areas shall be exempt from this
22 license; and

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

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

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

11 F. Of the fees collected pursuant to the provisions of
12 paragraphs 1 and 2 of subsection E of this section, Five Dollars
13 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
14 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
15 created pursuant to the provisions of Section 4-141 of this title.

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

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

9 a. for legal residents, Fifty Dollars (\$50.00), and

10 b. for nonresidents, One Hundred Forty-five Dollars
11 (\$145.00).

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

17 I. Any person producing proof in court that a current hunting
18 license issued by the Department of Wildlife Conservation to that
19 person was in force at the time of the alleged offense shall be
20 entitled to dismissal of a charge of violating this section upon
21 payment of court costs. If proof of a current hunting license
22 issued by the Department to the person that was in force at the time
23 of the alleged offense is presented to the court or district
24

1 attorney within seventy-two (72) hours after the violation, the
2 charge shall be dismissed without payment of court costs.

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

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

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

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17 54-1-6232 CJB 12/19/12

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