

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 1142

By: Dahm of the Senate

and

6 Roberts (Sean) and Bennett
7 of the House

8
9 COMMITTEE SUBSTITUTE

10 An Act relating to game and fish; amending 2 O.S.
11 2011, Sections 6-604 and 6-605, which relate to the
12 Feral Swine Control Act; adding certain hunting
13 license requirement; expanding authorization to
14 removing feral swine at night; eliminating permit
15 requirement to remove feral swine at night;
16 authorizing the use of motor-driven land conveyance
17 headlights and night vision equipment when removing
18 feral swine; prohibiting the removal of feral swine
19 using running motor-driven conveyance; prohibiting
20 the removal of feral swine at night during certain
21 deer hunting seasons; deleting certain permit and
22 license requirements; making an exception for persons
23 hunting in certain area; amending 29 O.S. 2011,
24 Section 2-118, which relates to the definition of
hunting or taking; adding feral swine; amending 29
O.S. 2011, Section 2-138, which relates to the
definition of resident; clarifying residency status
of a child when there is a joint custody order;
amending 29 O.S. 2011, Section 4-112, as last amended
by Section 1, Chapter 165, O.S.L. 2015 (29 O.S. Supp.
2015, Section 4-112), which relates to hunting
licenses; adding feral swine to prohibition for
hunting without a license; adding feral swine to
certain hunting licenses; adding a nonresident
additional feral swine license; setting fee;
providing for distribution of fee; amending 29 O.S.
2011, Section 4-135, which relates to permits to
control nuisance animals; eliminating permit

1 requirement to control feral swine at night;
2 expanding persons eligible for a permit; updating
3 statutory language; amending 29 O.S. 2011, Section 5-
4 203.1, which relates to headlighting; permitting the
5 use of certain lights and motor-driven conveyance to
6 remove feral swine; and providing an effective date.

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

8 SECTION 1. AMENDATORY 2 O.S. 2011, Section 6-604, is
9 amended to read as follows:

10 Section 6-604. A. Except as otherwise specified in the Feral
11 Swine Control Act, any person with a valid hunting license issued by
12 the Department of Wildlife Conservation pursuant to Section 4-112 of
13 Title 29 of the Oklahoma Statutes and promulgated rules and with
14 permission of the owner may remove feral swine from private or
15 public property during daylight hours or at night.

16 B. ~~Any person who intends to kill or attempt to kill feral~~
17 ~~swine at night shall obtain~~ Except as otherwise specified in the
18 Feral Swine Control Act, the owner, lessee or immediate family
19 member of the owner or lessee of private property may remove feral
20 swine from the private property during daylight hours or at night
21 without a valid hunting license or a permit issued by the Department
22 of Wildlife Conservation pursuant to Section 4-112 or 4-135 of Title
23 29 of the Oklahoma Statutes and promulgated rules.

24 C. Any person who attempts to remove feral swine pursuant to
this section may use a motor-driven land conveyance to pursue or

1 follow feral swine, may use a vehicle-mounted spotlight or other
2 powerful light also known as a headlight and may use night vision
3 equipment that uses either image enhancement technology or thermal
4 imaging technology. A person shall not remove or attempt to remove
5 feral swine pursuant to this section from a motor-driven land
6 conveyance while the motor is running.

7 SECTION 2. AMENDATORY 2 O.S. 2011, Section 6-605, is
8 amended to read as follows:

9 Section 6-605. A. During designated deer hunting seasons for
10 primitive firearms, archery and guns as specified in rules
11 promulgated by the Department of Wildlife Conservation, ~~an~~ no
12 person, including the owner of private property, shall ~~not~~ kill or
13 attempt to kill feral swine ~~during daylight hours that is damaging~~
14 ~~the property of the owner without first obtaining a special permit~~
15 ~~from the local game warden or other authorized employee of the~~
16 ~~Department of Wildlife Conservation. The special permit shall allow~~
17 ~~the owner and one person of lineal or collateral descent to kill~~
18 ~~feral swine on the property of the owner. The special permit shall~~
19 ~~be provided at no cost~~ at night.

20 B. ~~All other persons shall be required to obtain licenses and~~
21 ~~tags as required by the Oklahoma Wildlife Conservation Code and~~
22 ~~rules promulgated thereto.~~

23 C. ~~Any person with a valid license to hunt deer is exempt from~~
24 ~~the requirements of this section during the appropriate licensed~~

1 ~~season~~ The provisions of this section shall not apply to persons
2 hunting feral swine in a big game commercial hunting area licensed
3 pursuant to Section 4-106 to Title 29 of the Oklahoma Statutes.

4 SECTION 3. AMENDATORY 29 O.S. 2011, Section 2-118, is
5 amended to read as follows:

6 Section 2-118. "Hunting" or "taking" is pursuing, killing,
7 capturing, trapping, snaring and netting wildlife or feral swine,
8 and all lesser acts such as disturbing, harrying, worrying or
9 placing, setting, drawing or using any net, trap or other device
10 used to take wildlife or feral swine and includes specifically every
11 attempt to take and every assistance to other persons in taking or
12 attempting to take wild animals, except that the definitions of
13 "taking" and "hunting" wildlife or feral swine shall not include
14 disturbing, harrying or worrying wild game in field trials or
15 performance tests of dogs nor the act of any person in participating
16 as owner, handler, trainer, official or member of an audience
17 observing such trials, whether resident or nonresident, where wild
18 game is not killed.

19 SECTION 4. AMENDATORY 29 O.S. 2011, Section 2-138, is
20 amended to read as follows:

21 Section 2-138. "Resident" is any individual who has an
22 established bona fide or actual residence in Oklahoma for a period
23 of not less than sixty (60) consecutive days immediately preceding
24 the date the application for a license, permit, stamp, or any other

1 issue of the Department is submitted. The burden of establishing
2 proof of residency shall be on the person claiming residency status.
3 A person holding a valid driver license or permit to operate a motor
4 vehicle shall be deemed to be a resident of the state issuing the
5 license or permit. For a valid Oklahoma driver license to be used
6 as the sole source of proof of residency, it shall have been issued
7 not less than sixty (60) days prior to submission of the
8 application. If a person does not hold a valid Oklahoma driver
9 license, the Department may consider other reliable documentation
10 for establishing proof of residency including, but not limited to,
11 property tax receipts, resident income tax returns, voter
12 registration, motor vehicle or vessel registrations, and other
13 public records documenting residence. Residency status of children
14 under eighteen (18) years of age is presumed to be that of the
15 custodial parent, including a custodial parent when there is a joint
16 custody order and the physical custody of the child is shared by
17 both parents, or legal guardian unless otherwise documented.
18 Ownership or possession of real property in the state by a person
19 residing outside the state shall not qualify the person as a
20 resident. A person shall not be entitled to claim multiple states
21 of residence, except as follows:

22 1. A person who is not otherwise a resident of the state and is
23 a member of the Armed Forces of the United States and is on active
24 duty and permanently assigned to a military installation located in

1 the state shall be eligible to qualify as a resident if the person
2 presents with the license application a certificate of assignment in
3 the state from a commanding officer or designated representative. A
4 spouse or dependent of the person who is not otherwise a resident of
5 the state, is living within the same household and is similarly
6 certified by a commanding officer, shall also be eligible to qualify
7 as a resident;

8 2. The residency of a person shall not terminate upon entering
9 the Armed Forces of the United States. A member of the Armed Forces
10 of the United States on active duty, and any dependents of the
11 member, is presumed to retain residency status in the state for
12 purposes of purchasing any annual license issued by the Department
13 of Wildlife Conservation as long as the member is on active duty as
14 verified by valid military documentation; and

15 3. The residency status of any person, excluding a member of
16 the Armed Forces of the United States while on active duty as
17 verified by valid military documentation and any dependents of the
18 member, shall terminate if the person obtains any resident hunting,
19 fishing, trapping license or permit or valid driver license issued
20 by another state.

21 SECTION 5. AMENDATORY 29 O.S. 2011, Section 4-112, as
22 last amended by Section 1, Chapter 165, O.S.L. 2015 (29 O.S. Supp.
23 2015, Section 4-112), is amended to read as follows:
24

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

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

- 17 1. Legal residents under sixteen (16) years of age;
- 18 2. Legal residents sixty-five (65) years of age or older
19 provided they have obtained a senior citizen lifetime hunting or
20 combination hunting and fishing license pursuant to the provisions
21 of Section 4-114 of this title;
- 22 3. Legal residents born on or before January 1, 1923;
- 23 4. Legal resident veterans having a disability of sixty percent
24 (60%) or more;

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

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

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

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; and

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

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

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

1 2. Annual hunting license for nonresidents hunting game other
2 than deer, antelope, elk or bear or hunting feral swine which
3 expires on June 30 of the fiscal year purchased - One Hundred
4 Seventy-five Dollars (\$175.00). Nonresidents hunting big game ~~or~~,
5 combination big game and upland game or hunting feral swine in a
6 commercial hunting area shall be required to have this license;

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

10 4. Archery hunting license for deer for nonresidents which
11 shall expire on January 15 of the calendar year after the year
12 purchased or if purchased during the deer archery season it shall
13 expire at the end of that deer archery season - Two Hundred Seventy-
14 nine Dollars (\$279.00);

15 5. Primitive firearms hunting license for deer for nonresidents
16 which shall be valid for hunting all deer allowed during the current
17 calendar year deer primitive firearms season - Two Hundred Seventy-
18 nine Dollars (\$279.00);

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

21 7. Hunting license for elk for nonresidents - Three Hundred
22 Five Dollars (\$305.00);
23
24

1 8. Five-day hunting license for nonresidents hunting game other
2 than deer, antelope, elk, quail, turkey or bear or hunting feral
3 swine - Seventy-four Dollars (\$74.00); ~~and~~

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

6 10. Additional hunting license for feral swine for nonresidents
7 which shall be valid for hunting all feral swine during the calendar
8 year - Ten Dollars (\$10.00).

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

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

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

23 3. Of the license fee for each license issued pursuant to
24 paragraph 10 of subsection C of this section, Five Dollars (\$5.00)

1 shall be transferred to the Sheriff's Service Fee Account of the
2 county sheriff department of the county in which the license was
3 issued and Five Dollars (\$5.00) shall be deposited in the Wildlife
4 Conservation Fund created pursuant to the provisions of Section 3-
5 302 of this title and shall be expended and used by the Commission
6 for continuing education of game wardens.

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

10 1. Annual hunting license for hunting game or feral swine for
11 residents eighteen (18) years of age and older which expires on
12 December 31 of the year purchased - Twenty-four Dollars (\$24.00);

13 2. Annual hunting license for hunting game or feral swine for
14 residents eighteen (18) years of age and older which expires on June
15 30 of the fiscal year purchased - Thirty-one Dollars (\$31.00);

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

19 4. Annual hunting license for hunting game or feral swine for
20 residents sixteen (16) or seventeen (17) years of age which expires
21 on June 30 of the fiscal year purchased - Six Dollars (\$6.00);

22 5. Ten-day hunting license for residents for small game in a
23 commercial hunting area - Five Dollars (\$5.00);
24

1 6. Five-year disability hunting license for hunting game or
2 feral swine for residents of this state for at least six (6) months
3 who are receiving Social Security Disability benefits, Supplemental
4 Security Income benefits or disability benefits under the Railroad
5 Retirement Act, 45 U.S.C.A., Section 231a, or residents who are one-
6 hundred-percent disabled and are receiving disability payments from
7 the Multiple Injury Trust Fund pursuant to Section 31 of Title 85A
8 of the Oklahoma Statutes - Ten Dollars (\$10.00);

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

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

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

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

21 9. Archery hunting license for deer for residents eighteen (18)
22 years of age or older - Nineteen Dollars (\$19.00). The following
23 persons shall be exempt:
24

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

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

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

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

12 The following persons shall be exempt:

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

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

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

22 13. Hunting license for elk for residents - Fifty Dollars
23 (\$50.00). Residents hunting in big game or combination big game and
24

1 upland game commercial hunting areas shall be exempt from this
2 license;

3 14. Hunting license for antelope for residents - Fifty Dollars
4 (\$50.00). Residents hunting in big game or combination big game and
5 upland game commercial hunting areas shall be exempt from this
6 license; and

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

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

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

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 license fee shall be for the Oklahoma Wildlife Land
20 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
21 created pursuant to the provisions of Section 4-141 of this title.

22 G. The provisions of this section shall not be construed to
23 require a hunting license, resident or nonresident, of any person
24 merely because the person participates, as owner or handler of an

1 entry, as an official, or as a spectator in the conduct of a field
2 trial or performance test of dogs, whether a resident or nonresident
3 of the State of Oklahoma. No license to hunt shall be required of
4 any person engaged in training or working dogs, provided that person
5 is in no way engaged in hunting and does not take or attempt to take
6 in any manner any game.

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

- 15 a. for legal residents, Fifty Dollars (\$50.00), and
- 16 b. for nonresidents, One Hundred Forty-five Dollars
17 (\$145.00).

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

23 I. Any person producing proof in court that a current hunting
24 license issued by the Department of Wildlife Conservation to that

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

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

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

20 SECTION 6. AMENDATORY 29 O.S. 2011, Section 4-135, is
21 amended to read as follows:

22 Section 4-135. A. The Department of Wildlife Conservation is
23 authorized to issue permits to landowners, lessees, or ~~their~~ the
24 designated agents or immediate family members of the landowner or

1 lessee and to any entity of state, county, or local government to
2 control nuisance or damage by any species of wildlife including, but
3 not limited to, beaver, coyote, deer, bobcat, raccoon, and crow
4 under rules promulgated by the Oklahoma Wildlife Conservation
5 Commission. The permits may be issued without limitation by
6 statewide season regulations, bag limits or methods of taking. A
7 permitted landowner, lessee or ~~a~~ designated agent or immediate
8 family member of the landowner or lessee may, with a valid permit
9 issued pursuant to this section, control the wildlife specified in
10 this subsection ~~and feral swine~~ at night to protect marketable
11 agricultural crops, livestock, or processed feed, seed or other
12 materials used in the production of an agricultural commodity.

13 B. Except as otherwise specified in this ~~subsection~~ section,
14 the permit to hunt at night shall be valid for a period of up to one
15 (1) year from the date the permit was issued. Each landowner,
16 lessee, or designated agent or immediate family member of the
17 landowner or lessee with a valid permit shall be required to have a
18 current agricultural exemption permit issued by the Oklahoma Tax
19 Commission.

20 C. Notwithstanding the provisions of Section 5-203.1 of this
21 title, a landowner, lessee, or designated agent or immediate family
22 member of the landowner or lessee with a valid permit may use a
23 headlight carried on the person while hunting at night. Nothing in
24

1 this section shall authorize the use of a headlight mounted on a
2 vehicle or the use of a headlight from a public roadway.

3 D. Any person who has been convicted of, or pled guilty to, a
4 violation of Section 5-203.1 or Section 5-411 of this title within
5 the previous three (3) years shall not be eligible to receive a
6 permit pursuant to this section. The permit ~~can~~ may be issued by
7 the local game warden in the county for which the permit is to be
8 used or by the Law Enforcement Division of the Department of
9 Wildlife Conservation.

10 E. Notwithstanding the provisions of Section 1289.13 of Title
11 21 of the Oklahoma Statutes, it shall be lawful for any private
12 landowner or designated employee of the landowner or lessee to have
13 a chamber-loaded firearm on property owned by the landowner, and to
14 use the firearm for the purpose of controlling nuisance or damage by
15 any wildlife or feral swine. Nothing in this section shall
16 authorize any convicted felon to carry a firearm.

17 SECTION 7. AMENDATORY 29 O.S. 2011, Section 5-203.1, is
18 amended to read as follows:

19 Section 5-203.1 A. No person may attempt to take, take,
20 attempt to catch, catch, attempt to capture, capture, attempt to
21 kill, or kill any deer, feral animal or other wildlife except fish,
22 ~~and~~ frogs and feral swine as provided for in Section 6-604 of Title
23 2 of the Oklahoma Statutes by the use of a vehicle-mounted spotlight
24 or other powerful light at night, by what is commonly known as

1 "headlighting". Provided, however, nothing in this section shall
2 prevent one from possessing a .22 caliber rimfire rifle or .22
3 pistol and a light carried while in pursuit of furbearers with
4 hounds during the legal, open furbearers season, while possessing a
5 valid hunting license.

6 B. Any person may use a shotgun, using No. 6 size shot or
7 smaller, longbow, light and a call for the purpose of hunting
8 predatory animals, provided that written permission is obtained from
9 the local game warden for each twenty-four-hour period of hunting.

10 C. It shall be illegal to hunt from a boat with a firearm from
11 sunset until one-half (1/2) hour before sunrise. This shall not
12 pertain to hunting of waterfowl enroute from bank to blind with
13 unloaded shotguns.

14 D. Except as otherwise provided for in this section and except
15 when removing feral swine as provided for in Section 6-604 of Title
16 2 of the Oklahoma Statutes, no person may harass, attempt to
17 capture, capture, attempt to take or take, kill or attempt to kill
18 any wildlife or feral swine with the aid of any motor-driven land,
19 air or water conveyance. A nonambulatory person may hunt from said
20 conveyances with written permission of the Director of Wildlife
21 Conservation. A person may hunt from an air conveyance if issued a
22 permit pursuant to Section ~~4~~ 4-107.2 of this ~~act~~ title. Nothing in
23 this section shall prevent the use of motor-driven land or water
24 conveyances for following dogs in the act of hunting, when use is

1 restricted to public roads or waterways. Motor-driven land or water
2 conveyances may be used on private property for following dogs in
3 the act of hunting with the permission of the landowner or occupant.

4 E. Employees of the Oklahoma Department of Agriculture, Food,
5 and Forestry Wildlife Services Division and the United States
6 Department of Agriculture Wildlife Services while engaged in
7 wildlife management activities for the protection of agriculture,
8 property, human health and safety and natural resources shall be
9 exempt from the provisions of this section.

10 F. Any person convicted of violating the provisions of this
11 section shall be guilty of a misdemeanor and shall be punished by a
12 fine of not less than Two Hundred Fifty Dollars (\$250.00) for a
13 first offense and not less than Five Hundred Dollars (\$500.00) for a
14 second offense or by imprisonment in the county jail for not less
15 than ten (10) days nor more than one (1) year, or by confiscation
16 pursuant to Section 5-402 of this title or by such fine,
17 imprisonment and confiscation.

18 SECTION 8. This act shall become effective November 1, 2016.
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