

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1142

By: Dahm of the Senate

and

7 Roberts (Sean), Bennett and
8 Cleveland of the House

9
10 COMMITTEE SUBSTITUTE

11 An Act relating to game and fish; amending 2 O.S.
12 2011, Sections 6-604 and 6-605, which relate to the
13 Feral Swine Control Act; adding certain hunting
14 license requirement; expanding authorization to
15 removing feral swine at night; eliminating permit
16 requirement to remove feral swine at night;
17 authorizing the use of motor-driven land conveyance
18 headlights and night vision equipment when removing
19 feral swine; prohibiting the removal of feral swine
20 using running motor-driven conveyance; prohibiting
21 the removal of feral swine at night during certain
22 deer hunting seasons; deleting certain permit and
23 license requirements; making an exception for persons
24 hunting in certain area; amending 29 O.S. 2011,
 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.

1 2011, Section 4-135, which relates to permits to
2 control nuisance animals; eliminating permit
3 requirement to control feral swine at night;
4 expanding persons eligible for a permit; updating
5 statutory language; amending 29 O.S. 2011, Section 5-
6 203.1, which relates to headlighting; permitting the
7 use of certain lights and motor-driven conveyance to
8 remove feral swine; and providing an effective date.

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

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

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

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

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

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

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

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

1 ~~C. Any person with a valid license to hunt deer is exempt from~~
2 ~~the requirements of this section during the appropriate licensed~~
3 ~~season~~ The provisions of this section shall not apply to persons
4 hunting feral swine in a big game commercial hunting area licensed
5 pursuant to Section 4-106 to Title 29 of the Oklahoma Statutes.

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

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

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

23 Section 2-138. "Resident" is any individual who has an
24 established bona fide or actual residence in Oklahoma for a period

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

1 1. A person who is not otherwise a resident of the state and is
2 a member of the Armed Forces of the United States and is on active
3 duty and permanently assigned to a military installation located in
4 the state shall be eligible to qualify as a resident if the person
5 presents with the license application a certificate of assignment in
6 the state from a commanding officer or designated representative. A
7 spouse or dependent of the person who is not otherwise a resident of
8 the state, is living within the same household and is similarly
9 certified by a commanding officer, shall also be eligible to qualify
10 as a resident;

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

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

1 SECTION 5. AMENDATORY 29 O.S. 2011, Section 4-112, as
2 last amended by Section 1, Chapter 165, O.S.L. 2015 (29 O.S. Supp.
3 2015, Section 4-112), is amended to read as follows:

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

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

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

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

2 4. Legal resident veterans having a disability of sixty percent
3 (60%) or more;

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

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

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

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

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

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

22 1. Annual hunting license for nonresidents hunting game other
23 than deer, antelope, elk or bear or hunting feral swine which
24 expires on December 31 of the year purchased - One Hundred Forty-one

1 Dollars (\$141.00). Nonresidents hunting big game ~~or~~ combination
2 big game and upland game or hunting feral swine in a commercial
3 hunting area shall be required to have this license;

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

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

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

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

22 6. Hunting license for antelope for nonresidents - Three
23 Hundred Five Dollars (\$305.00);
24

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

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

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

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

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

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

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

1 3. Of the license fee for each license issued pursuant to
2 paragraph 10 of subsection C of this section, Five Dollars (\$5.00)
3 shall be transferred to the Sheriff's Service Fee Account of the
4 county sheriff department of the county in which the license was
5 issued and Five Dollars (\$5.00) shall be deposited in the Wildlife
6 Conservation Fund created pursuant to the provisions of Section 3-
7 302 of this title and shall be expended and used by the Commission
8 for continuing education of game wardens.

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

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

15 2. Annual hunting license for hunting game or feral swine for
16 residents eighteen (18) years of age and older which expires on June
17 30 of the fiscal year purchased - Thirty-one Dollars (\$31.00);

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

21 4. Annual hunting license for hunting game or feral swine for
22 residents sixteen (16) or seventeen (17) years of age which expires
23 on June 30 of the fiscal year purchased - Six Dollars (\$6.00);
24

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

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

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

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

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

21 8. Gun hunting license for deer for residents under eighteen
22 (18) years of age - Nine Dollars (\$9.00);
23
24

1 9. Archery hunting license for deer for residents eighteen (18)
2 years of age or older - Nineteen Dollars (\$19.00). The following
3 persons 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 10. Archery hunting license for deer for residents under
12 eighteen (18) years of age - Nine Dollars (\$9.00);

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

15 The following persons shall be exempt:

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

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

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

1 13. Hunting license for elk for residents - Fifty Dollars
2 (\$50.00). Residents hunting in big game or combination big game and
3 upland game commercial hunting areas shall be exempt from this
4 license;

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

9 15. Bonus, special or additional gun hunting license for deer
10 for residents - Nineteen Dollars (\$19.00). The following persons
11 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 F. Of the fees collected pursuant to the provisions of
20 paragraphs 1 and 2 of subsection E of this section, Five Dollars
21 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
22 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
23 created pursuant to the provisions of Section 4-141 of this title.
24

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

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

- 18 a. for legal residents, Fifty Dollars (\$50.00), and
- 19 b. for nonresidents, One Hundred Forty-five Dollars
20 (\$145.00).

21 2. Except as otherwise provided for by this subsection, the
22 fees from licenses purchased pursuant to the provisions of this
23 subsection shall be deposited in the Wildlife Conservation Fund to
24

1 be used exclusively for developing, managing, preserving, and
2 protecting wildlife and wildlife habitat.

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

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

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

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

3 Section 4-135. A. The Department of Wildlife Conservation is
4 authorized to issue permits to landowners, lessees, or ~~their~~ the
5 designated agents or immediate family members of the landowner or
6 lessee and to any entity of state, county, or local government to
7 control nuisance or damage by any species of wildlife including, but
8 not limited to, beaver, coyote, deer, bobcat, raccoon, and crow
9 under rules promulgated by the Oklahoma Wildlife Conservation
10 Commission. The permits may be issued without limitation by
11 statewide season regulations, bag limits or methods of taking. A
12 permitted landowner, lessee or ~~a~~ designated agent or immediate
13 family member of the landowner or lessee may, with a valid permit
14 issued pursuant to this section, control the wildlife specified in
15 this subsection ~~and feral swine~~ at night to protect marketable
16 agricultural crops, livestock, or processed feed, seed or other
17 materials used in the production of an agricultural commodity.

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

1 C. Notwithstanding the provisions of Section 5-203.1 of this
2 title, a landowner, lessee, or designated agent or immediate family
3 member of the landowner or lessee with a valid permit may use a
4 headlight carried on the person while hunting at night. Nothing in
5 this section shall authorize the use of a headlight mounted on a
6 vehicle or the use of a headlight from a public roadway.

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

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

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

23 Section 5-203.1 A. No person may attempt to take, take,
24 attempt to catch, catch, attempt to capture, capture, attempt to

1 kill, or kill any deer, feral animal or other wildlife except fish,
2 ~~and frogs~~ and feral swine as provided for in Section 6-604 of Title
3 2 of the Oklahoma Statutes by the use of a vehicle-mounted spotlight
4 or other powerful light at night, by what is commonly known as
5 "headlighting". Provided, however, nothing in this section shall
6 prevent one from possessing a .22 caliber rimfire rifle or .22
7 pistol and a light carried while in pursuit of furbearers with
8 hounds during the legal, open furbearers season, while possessing a
9 valid hunting license.

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

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

18 D. Except as otherwise provided for in this section and except
19 when removing feral swine as provided for in Section 6-604 of Title
20 2 of the Oklahoma Statutes, no person may harass, attempt to
21 capture, capture, attempt to take or take, kill or attempt to kill
22 any wildlife or feral swine with the aid of any motor-driven land,
23 air or water conveyance. A nonambulatory person may hunt from said
24 conveyances with written permission of the Director of Wildlife

1 Conservation. A person may hunt from an air conveyance if issued a
2 permit pursuant to Section 4 4-107.2 of this ~~act~~ title. Nothing in
3 this section shall prevent the use of motor-driven land or water
4 conveyances for following dogs in the act of hunting, when use is
5 restricted to public roads or waterways. Motor-driven land or water
6 conveyances may be used on private property for following dogs in
7 the act of hunting with the permission of the landowner or occupant.

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

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

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

23 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 04/05/2016 - DO
24 PASS, As Amended and Coauthored.