

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

SENATE BILL 555

By: Shortey

AS INTRODUCED

An Act relating to wildlife; amending 29 O.S. 2011, Section 5-201, as amended by Section 2, Chapter 294, O.S.L. 2012 (29 O.S. Supp. 2014, Section 5-201), which relates to hunting with suppressed firearms; modifying certain restrictions; and providing an effective date.

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

SECTION 1. AMENDATORY 29 O.S. 2011, Section 5-201, as amended by Section 2, Chapter 294, O.S.L. 2012 (29 O.S. Supp. 2014, Section 5-201), is amended to read as follows:

Section 5-201. A. Except as otherwise provided for in this section, no person may utilize at any time, for the purpose of killing or capturing any game mammal, game bird or nongame bird, the following means:

1. Any trap, net, snare, cage, pitfall, baited hook or similar device;

2. Any drug, poison, narcotic, explosive or similar substance;

3. Any swivel or punt gun of greater calibre than ten (10) gauge;

1 4. Any device which generates electricity; or

2 5. Any device which noticeably suppresses noise from a firearm,
3 commonly known as a suppressor.

4 B. Except as otherwise provided for in this section, no person
5 shall hunt wildlife by computer-assisted remote control hunting.

6 C. Except as otherwise provided for in this section, no person
7 shall engage in any activity that provides, sells, offers for sale,
8 assists in, or provides facilities for computer-assisted remote
9 control hunting of wildlife.

10 D. The following persons shall be exempt from the prohibition
11 in subsection A of this section:

12 1. The Director, departmental employees and authorized agents
13 when capturing wildlife for propagation or management purposes;

14 2. Any person, group or governmental agency the Director may by
15 written permit authorize, where any species of nongame birds are
16 causing a nuisance or undue economic loss, as may be determined by
17 the Director. Such permit shall state the method of control and
18 specific procedures and conditions as may be deemed appropriate by
19 the Director;

20 3. Any person possessing a scientific purposes license under
21 Section 4-118 of this title; or

22 4. Employees of the Oklahoma Department of Agriculture, Food,
23 and Forestry Wildlife Services Division and the United States
24 Department of Agriculture Wildlife Services while engaged in

1 wildlife management activities for the protection of agriculture,
2 property, human health and safety and natural resources.

3 E. 1. The following persons shall be exempt from the
4 prohibition specified in paragraph 5 of subsection A of this
5 section:

6 a. any person hunting on property owned by the person,

7 ~~and~~

8 b. any guest or other person hunting on property with the
9 permission of the owner of the property, and

10 c. any person hunting on public land.

11 2. Nothing in this subsection shall be construed to exempt any
12 person from the requirements and provisions of the National Firearms
13 Act and regulations and tax requirements for lawful use of a weapon
14 as described in paragraph 5 of subsection A of this section.

15 F. A person shall be exempt from the prohibition in subsection
16 B of this section if the person is permanently physically disabled
17 so that the person is physically incapable of using a firearm,
18 crossbow, or conventional bow as certified in writing by a physician
19 licensed to practice medicine. A person who has received
20 certification as provided for in this paragraph shall have in their
21 possession written evidence of the certification while in the field
22 hunting.

23 G. A person shall be exempt from the prohibition in subsection
24 C of this section if the person is engaged in providing facilities

1 for, assisting in, selling, or offering for sale a computer-assisted
2 remote control hunting activity for a person who is physically
3 disabled as described in subsection F of this section. The
4 physically disabled person shall be physically present where the
5 hunting activity is occurring and be in control and operating the
6 computer-assisted remote control means to take wildlife.

7 H. 1. Any person convicted of violating the provisions of
8 subsection A of this section shall be punished by a fine of not less
9 than One Hundred Dollars (\$100.00) nor more than Five Hundred
10 Dollars (\$500.00).

11 2. Any person convicted of violating the provisions of
12 subsection B or C of this section shall be punished by a fine of not
13 less than Two Hundred Fifty Dollars (\$250.00) nor more than Five
14 Hundred Dollars (\$500.00) or by imprisonment in the county jail not
15 exceeding one (1) year, or by both the fine and imprisonment. In
16 addition, the court may order that the hunting or fishing license
17 and privileges of any person convicted of violating the provisions
18 of subsection B or C of this section be revoked for a period of not
19 less than one (1) year but not exceeding five (5) years. The cost
20 of reinstating a hunting or fishing license revoked pursuant to this
21 subsection for residents shall be Two Hundred Dollars (\$200.00) for
22 each license and for nonresidents shall be Five Hundred Dollars
23 (\$500.00) for each license. The reinstatement fee shall be in
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1 addition to any other fees required for the hunting or fishing
2 license.

3 3. Any person convicted of a wildlife offense which involves a
4 species of wildlife listed in Section 5-411 of this title, involves
5 a species of wildlife referenced in Section 5-412 of this title or
6 involves the unlawful possession, taking or killing of the wildlife
7 from an unlawful hunt, chase, trap, capture, shooting, killing or
8 slaughter while using a suppressed firearm during the commission of
9 the wildlife offense, in addition to any other penalty otherwise
10 provided for in law, shall be punished by a fine of not less than
11 Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars
12 (\$1,000.00) or by imprisonment in the county jail not exceeding one
13 (1) year, or by both the fine and imprisonment. In addition, the
14 court may order that the hunting or fishing license and privileges
15 of the person be revoked for a period of not less than one (1) year
16 but not exceeding five (5) years.

17 SECTION 2. This act shall become effective November 1, 2015.
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