

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 635, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Brecheen

Brecheen-QD-FS-Req#1604
3/20/2017 2:37 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 635

By: Brecheen of the Senate

and

6 McCall of the House

7
8
9 FLOOR SUBSTITUTE

10 [hunting - youth nonresident licenses - effective
11 date]
12

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

14 SECTION 1. AMENDATORY 29 O.S. 2011, Section 4-112, as
15 last amended by Section 1, Chapter 165, O.S.L. 2015 (29 O.S. Supp.
16 2016, Section 4-112), is amended to read as follows:

17 Section 4-112. A. Except as otherwise provided for in the
18 Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae
19 Act, no person may hunt, pursue, trap, harass, catch, kill, take or
20 attempt to take in any manner, use, have in possession, sell, or
21 transport all or any portion of any wildlife except fish, without
22 having first procured a license from the Department of Wildlife
23 Conservation. The Wildlife Conservation Commission shall designate
24 a consecutive Saturday and Sunday in September of each year as free

1 hunting days in which residents of this state may hunt without first
2 procuring a hunting license pursuant to the provisions of this
3 section.

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

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

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

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

15 4. Legal resident veterans having a disability of sixty percent
16 (60%) or more;

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

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

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

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

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

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

12 1. Annual hunting license for nonresidents hunting game other
13 than deer, antelope, elk or bear which expires on December 31 of the
14 year purchased - One Hundred Forty-one Dollars (\$141.00).

15 Nonresidents hunting big game or combination big game and upland
16 game in a commercial hunting area shall be required to have this
17 license;

18 2. Annual hunting license for nonresidents hunting game other
19 than deer, antelope, elk or bear which expires on June 30 of the
20 fiscal year purchased - One Hundred Seventy-five Dollars (\$175.00).

21 Nonresidents hunting big game or combination big game and upland
22 game in a commercial hunting area shall be required to have this
23 license;

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

4 4. Gun hunting license for deer for youth nonresidents
5 seventeen (17) years of age or younger which shall be valid for
6 hunting one (1) antlerless deer allowed during the current calendar
7 year deer gun season - Thirty Dollars (\$30.00);

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

13 ~~5.~~ 6. Archery hunting license for deer for youth nonresidents
14 seventeen (17) years of age or younger which shall be valid for
15 hunting one (1) antlerless deer and expire on January 15 of the
16 calendar year after the year purchased or, if purchased during the
17 deer archery season, it shall expire at the end of that deer archery
18 season - Thirty Dollars (\$30.00);

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

23 ~~6.~~ 8. Primitive firearms hunting license for deer for youth
24 nonresidents seventeen (17) years of age or younger which shall be

1 valid for hunting one (1) antlerless deer during the current
2 calendar year deer primitive firearms season - Thirty Dollars
3 (\$30.00);

4 9. Hunting license for antelope for nonresidents - Three
5 Hundred Five Dollars (\$305.00);

6 ~~7.~~ 10. Hunting license for elk for nonresidents - Three Hundred
7 Five Dollars (\$305.00);

8 ~~8.~~ 11. Five-day hunting license for nonresidents hunting game
9 other than deer, antelope, elk, quail, turkey or bear - Seventy-four
10 Dollars (\$74.00); and

11 ~~9.~~ 12. Ten-day hunting license for nonresidents hunting small
12 game in a commercial hunting area - Five Dollars (\$5.00).

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

15 1. Five Dollars (\$5.00) of the license fee of each license
16 issued pursuant to paragraphs 1 through ~~7~~ 10 of subsection C of this
17 section and Two Dollars and fifty cents (\$2.50) of the license fee
18 for each license issued pursuant to paragraph ~~8~~ 11 of subsection C
19 of this section shall be deposited in the Wildlife Land Acquisition
20 Fund created pursuant to the provisions of Section 4-132 of this
21 title; and

22 2. Five Dollars (\$5.00) of the license fee for each license
23 issued pursuant to paragraphs 1 through ~~8~~ 11 of subsection C of this
24 section shall be for the Oklahoma Wildlife Land Stamp and shall be

1 deposited in the Oklahoma Wildlife Land Fund created pursuant to the
2 provisions of Section 4-141 of this title.

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

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

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

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

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

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

20 6. Five-year disability hunting license for residents of this
21 state for at least six (6) months who are receiving Social Security
22 Disability benefits, Supplemental Security Income benefits or
23 disability benefits under the Railroad Retirement Act, 45 U.S.C.A.,
24 Section 231a, or residents who are one-hundred-percent disabled and

1 are receiving disability payments from the Multiple Injury Trust
2 Fund pursuant to Section 31 of Title 85A of the Oklahoma Statutes -
3 Ten Dollars (\$10.00);

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

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

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

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

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

19 a. residents with proper certification from the United
20 States Department of Veterans Affairs or its
21 successor, certifying that the person is a disabled
22 veteran in receipt of compensation at the one-hundred-
23 percent rate, and
24

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
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

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 2. This act shall become effective November 1, 2017.

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17 56-1-1604 QD 3/20/2017 2:37:18 PM

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