

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1293

By: Park and Wallace

7  
8                               COMMITTEE SUBSTITUTE

9           An Act relating to commercial hunting; amending 29  
10 O.S. 2011, Section 4-106, which relates to commercial  
11 hunting area licenses; decreasing annual fee for  
12 certain commercial hunting area license; amending 29  
13 O.S. 2011, Section 5-102, which relates to tagging  
14 animals hunted for sport; exempting female deer from  
15 animals required to be tagged; limiting tag cost;  
16 providing an effective date; and declaring an  
17 emergency.

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

19           SECTION 1.           AMENDATORY           29 O.S. 2011, Section 4-106, is  
20 amended to read as follows:

21           Section 4-106. A. No person may propagate or hold in captivity  
22 any wildlife or domesticated animals hunted for sport for commercial  
23 hunting area purposes without having procured a license from the  
24 Director. Licenses shall be classified as big game, upland game, or  
a combination of big game and upland game.

1        1. A big game license shall be required for legally acquired  
2 exotic ungulates, domesticated animals so designated by the Oklahoma  
3 Wildlife Conservation Commission, exotic swine, and legally acquired  
4 whitetail and mule deer, turkey and other species of big game  
5 lawfully taken under the provisions of subsection A of Section 5-411  
6 and Section 5-401 of this title. Wildlife that has been crossbred  
7 with exotic wildlife shall be considered native and not exotic  
8 unless documentation shows otherwise.

9        2. An upland game license shall be required for legally  
10 acquired captive-raised pheasants, all species of quail, Indian  
11 chukars, water fowl, and other similar or suitable gallinaceous  
12 birds; and shall include turkey if no other big game species are  
13 listed on the license/application.

14        B. Before obtaining a license or a renewal of a license the  
15 applicant shall submit proof that such wildlife or domesticated  
16 animals hunted for sport will be or have been secured from a source  
17 other than the wild stock in this state. Any person obtaining or  
18 renewing a license shall submit a true and complete inventory of  
19 said animals before a license shall be approved. Each license shall  
20 specifically list the different species and/or subspecies to be  
21 hunted on the listed hunting area or premises.

22        C. Any game warden of the Oklahoma Department of Wildlife  
23 Conservation shall have authority to inspect any and all records and  
24 invoices pertaining to the commercial hunting operations of any

1 person licensed or requesting licensure pursuant to this section and  
2 additionally shall have the authority to inspect any and all  
3 facilities, equipment and property connected to the hunting  
4 operation of any person licensed or requesting licensure pursuant to  
5 this section.

6 D. 1. The annual fee for a commercial hunting area license for  
7 upland game under this section shall be One Hundred Dollars  
8 (\$100.00).

9 2. The annual fee for a commercial hunting area license for big  
10 game or a combination of big game and upland game pursuant to this  
11 section shall be ~~Five Hundred Dollars (\$500.00)~~ Two Hundred Fifty  
12 Dollars (\$250.00).

13 E. All licenses issued pursuant to this section shall expire on  
14 June 30 of each year.

15 F. Exemptions from this license requirement shall be operators  
16 of running pens used for the performance test or training of dogs.  
17 Operators of such running pens may acquire coyotes from wild stock  
18 without having to possess a fur dealer's license for such purpose  
19 and no license shall be required of those involved in performance  
20 testing or training dogs in such running pens so long as no other  
21 wildlife are taken or hunted in any manner.

22 G. Any person convicted of violating the provisions of this  
23 section shall be punished by a fine of not less than Five Hundred  
24 Dollars (\$500.00) nor more than One Thousand Five Hundred Dollars

1 (\$1,500.00), or by imprisonment in the county jail not to exceed  
2 sixty (60) days, or by both such fine and imprisonment.

3 H. Any person convicted of violating the provisions of this  
4 section shall have the commercial hunting area license revoked. No  
5 new license shall be issued for a period of six (6) months from and  
6 after the date on which the revocation order becomes effective.

7 I. The Department is authorized to promulgate rules pertaining  
8 to commercial hunting areas.

9 SECTION 2. AMENDATORY 29 O.S. 2011, Section 5-102, is  
10 amended to read as follows:

11 Section 5-102. A. ~~No~~ Except as otherwise provided in this  
12 subsection, no person may remove any propagated or released wildlife  
13 or domesticated animals hunted for sport which are killed at a  
14 commercial hunting area, without attaching a tag to each of such  
15 killed wildlife or domesticated animals hunted for sport. A person  
16 shall not be required to attach a tag to remove any killed wildlife  
17 or domesticated animals hunted for sport that are females of the  
18 family cervidae.

19 B. The tags, shall be supplied by the Commission ~~at reasonable~~  
20 ~~cost, shall~~ at a cost of no more than Ten Dollars (\$10.00). The  
21 tags shall contain such information as the Commission may require  
22 and shall be numbered consecutively.

1 C. Such tag must remain attached to the individual wildlife or  
2 domesticated animals hunted for sport until prepared and consumed  
3 and shall not be used more than once.

4 D. Any person convicted of violating the provisions of this  
5 section shall be punished by a fine of not less than One Hundred  
6 Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or  
7 by imprisonment in the county jail not to exceed sixty (60) days, or  
8 by both such fine and imprisonment.

9 SECTION 3. This act shall become effective July 1, 2017.

10 SECTION 4. It being immediately necessary for the preservation  
11 of the public peace, health or safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

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15 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 03/02/2017 - DO  
16 PASS, As Amended and Coauthored.