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February 13, 2018

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 1458

By: Silk

An Act relating to game; amending 29 O.S. 2011, Section 5-203.1, which relates to headlighting; clarifying statutory language; updating statutory language; modifying punishment for headlighting deer; and providing an effective date.

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

SECTION 1. AMENDATORY 29 O.S. 2011, Section 5-203.1, is amended to read as follows:

Section 5-203.1. A. No person ~~may attempt to take, take,~~
~~attempt to catch, catch, attempt to capture, capture, attempt to~~
~~kill, or kill~~ shall take, catch, capture, kill or attempt to take,
catch, capture or kill any deer, feral animal or other wildlife
except fish and frogs by the use of a vehicle mounted spotlight or
other powerful light at night, by what is commonly known as
"headlighting". Provided, however, nothing in this section shall
prevent one from possessing a .22 caliber rimfire rifle or .22
pistol and a light carried while in pursuit of furbearers with
hounds during the legal, open furbearers season, while possessing a
valid hunting license.

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

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

9 D. Except as otherwise provided for in this section, no person
10 ~~may harass, attempt to capture, capture, attempt to take or take,~~
11 ~~kill or attempt to kill~~ shall harass, capture, take, kill or attempt
12 to capture, take or kill any wildlife with the aid of any motor-
13 driven land, air or water conveyance. A nonambulatory person may
14 hunt from ~~said~~ the conveyances with written permission of the
15 Director of Wildlife Conservation. A person may hunt from an air
16 conveyance if issued a permit pursuant to Section ~~4~~ 4-107.2 of this
17 ~~act~~ title. Nothing in this section shall prevent the use of motor-
18 driven land or water conveyances for following dogs in the act of
19 hunting, when use is restricted to public roads or waterways.
20 Motor-driven land or water conveyances may be used on private
21 property for following dogs in the act of hunting with the
22 permission of the landowner or occupant.

23 E. Employees of the Oklahoma Department of Agriculture, Food,
24 and Forestry Wildlife Services Division and the United States

1 Department of Agriculture Wildlife Services while engaged in
2 wildlife management activities for the protection of agriculture,
3 property, human health and safety and natural resources shall be
4 exempt from the provisions of this section.

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

14 G. Any person convicted of killing any deer pursuant to
15 subsection A of this section shall be punished:

16 1. For the first offense, by a fine of Three Thousand Dollars
17 (\$3,000.00) and a revocation and prohibition of hunting and fishing
18 license privileges for the remainder of the calendar year and one
19 subsequent calendar year;

20 2. For the second offense, by a fine of Four Thousand Dollars
21 (\$4,000.00) and a revocation and prohibition of hunting and fishing
22 license privileges for the remainder of the calendar year and two
23 (2) subsequent calendar years; and
24

1 3. For the third offense, by a fine of Five Thousand Dollars
2 (\$5,000.00) and a revocation and prohibition of hunting and fishing
3 license privileges for the remainder of the calendar year and three
4 (3) subsequent calendar years.

5 SECTION 2. This act shall become effective November 1, 2018.

6 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND WILDLIFE
7 February 13, 2018 - DO PASS AS AMENDED
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