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February 28, 2017

AS AMENDED

SENATE BILL NO. 635

By: Brecheen of the Senate

and

McCall of the House

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[ hunting - youth-family-of-resident licenses -
effective date ]
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

1 procuring a hunting license pursuant to the provisions of this
2 section.

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

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

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

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

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

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

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

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

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

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

13 6. Hunting license for antelope for nonresidents - Three
14 Hundred Five Dollars (\$305.00);

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

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

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

22 D. The Commission shall authorize, through promulgation of
23 rules and amendments thereto, youth-family-of-resident licenses.
24 Members of the legal resident landowner's or tenant's immediate

1 family, which shall include linear descendants and siblings eighteen
2 (18) years of age or younger, shall be eligible for the following
3 hunting licenses, for the purpose of hunting on the landowner's or
4 tenant's property. Evidence of ownership, tenancy or familial
5 relationship, if requested, shall be provided to the Department.
6 The youth-family-of-resident hunting licenses issued pursuant to
7 this section and the fee for each license shall be:

8 1. Gun hunting license for deer for youth-family-of-resident
9 license which shall be valid for hunting all deer allowed during the
10 current calendar year deer gun season - Fifty Dollars (\$50.00);

11 2. Archery hunting license for deer for youth-family-of-
12 resident license which shall expire on January 15 of the calendar
13 year after the year purchased or, if purchased during the deer
14 archery season, shall expire at the end of that deer archery season
15 - Fifty Dollars (\$50.00);

16 3. Primitive firearms hunting license for deer for youth-
17 family-of-resident license which shall be valid for hunting all deer
18 allowed during the current calendar year deer primitive firearms
19 season - Fifty Dollars (\$50.00)

20 E. Of the fees collected pursuant to the provisions of
21 subsection C and D of this section:

22 1. Five Dollars (\$5.00) of the license fee of each license
23 issued pursuant to paragraphs 1 through 7 of subsection C and
24 paragraphs 1 through 3 of subsection D of this section and Two

1 Dollars and fifty cents (\$2.50) of the license fee for each license
2 issued pursuant to paragraph 8 of subsection C of this section shall
3 be deposited in the Wildlife Land Acquisition Fund created pursuant
4 to the provisions of Section 4-132 of this title; and

5 2. Five Dollars (\$5.00) of the license fee for each license
6 issued pursuant to paragraphs 1 through 8 of subsection C and
7 paragraphs 1 through 3 of subsection D of this section shall be for
8 the Oklahoma Wildlife Land Stamp and shall be deposited in the
9 Oklahoma Wildlife Land Fund created pursuant to the provisions of
10 Section 4-141 of this title.

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

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

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

20 3. Annual hunting license for residents sixteen (16) or
21 seventeen (17) years of age which expires on December 31 of the year
22 purchased - Four Dollars (\$4.00);
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1 4. Annual hunting license for residents sixteen (16) or
2 seventeen (17) years of age which expires on June 30 of the fiscal
3 year purchased - Six Dollars (\$6.00);

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

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

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

- 17 a. residents with proper certification from the United
18 States Department of Veterans Affairs or its
19 successor, certifying that the person is a disabled
20 veteran in receipt of compensation at the one-hundred-
21 percent rate, and
- 22 b. residents hunting in big game or combination big game
23 and upland game commercial hunting areas;

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

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

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

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

13 10. Archery hunting license for deer for residents under
14 eighteen (18) years of age - Nine Dollars (\$9.00);

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

17 The following persons shall be exempt:

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

23 b. residents hunting in big game or combination big game
24 and upland game commercial hunting areas;

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

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

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

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

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

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

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

2. Except as otherwise provided for by this subsection, the fees from licenses purchased pursuant to the provisions of this

1 subsection shall be deposited in the Wildlife Conservation Fund to
2 be used exclusively for developing, managing, preserving, and
3 protecting wildlife and wildlife habitat.

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

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

20 ~~K.~~ L. Unless a substitute license is purchased as provided for
21 by subsection ~~H~~ I of this section, any nonresident convicted of
22 violating the provisions of this section shall be punished by the
23 imposition of a fine of not less than Two Hundred Dollars (\$200.00)
24 nor more than Five Hundred Dollars (\$500.00), or by imprisonment in

1 the county jail for a period not to exceed six (6) months, or by
2 both.

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

4 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND WILDLIFE
5 February 28, 2017 - DO PASS AS AMENDED
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