

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

HOUSE BILL 2193

By: Williams

AS INTRODUCED

An Act relating to game and fish; amending 29 O.S. 2011, Section 4-110, as amended by Section 1, Chapter 286, O.S.L. 2013 (29 O.S. Supp. 2016, Section 4-110), which relates to fishing licenses; creating a six-month fishing license for residents and nonresidents; and providing an effective date.

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

SECTION 1. AMENDATORY 29 O.S. 2011, Section 4-110, as amended by Section 1, Chapter 286, O.S.L. 2013 (29 O.S. Supp. 2016, Section 4-110), is amended to read as follows:

Section 4-110. A. Except as otherwise provided in the Oklahoma Wildlife Conservation Code, no person shall fish, pursue, harass, catch, kill, take in any manner, use, have in possession, sell, or transport all or any portion of fish without having first procured a license for such from the Director or from any of the authorized agents of the Department of Wildlife Conservation. The Wildlife Conservation Commission may designate two (2) days per year in which

1 residents and nonresidents may fish without first procuring a
2 fishing license pursuant to the provisions of this section.

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

8 1. Legal residents under sixteen (16) years of age and
9 nonresidents under sixteen (16) years of age from states which do
10 not require nonresident fishing licenses for persons under sixteen
11 (16) years of age;

12 2. Legal residents sixty-five (65) years of age or older and
13 nonresidents sixty-five (65) years of age or older from states which
14 do not require nonresident fishing licenses for persons sixty-five
15 (65) years of age or older, provided a legal resident has obtained a
16 senior citizen lifetime fishing or combination hunting and fishing
17 license pursuant to the provisions of Section 4-114 of this title;

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

19 4. Legal resident veterans having a disability of sixty percent
20 (60%) or more;

21 5. Legal resident owners or tenants, their spouses, parents,
22 grandparents, children and their spouses, grandchildren and their
23 spouses who fish in private ponds on land owned or leased by them;
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1 6. Any legal resident or nonresident who is a patient of an
2 institution of the State of Oklahoma established for the care and
3 treatment of mental illness or alcohol or drug dependency or any
4 developmentally disabled person residing in any group home or other
5 institution or developmentally disabled persons when accompanied by
6 an attendant of the institution or legal guardian of the patient, or
7 when fishing on institutional property;

8 7. Any legal resident or nonresident under eighteen (18) years
9 of age who is in the legal and physical custody of the State of
10 Oklahoma or one of its agencies by court order;

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

14 9. Any legal resident or nonresident who is legally blind or
15 who has any other physical impairment, as certified by a physician
16 licensed in this state or any state which borders this state, which
17 prevents the person from properly using fishing apparatus without
18 the assistance of another person, and any one person actually
19 accompanying and actually assisting such legally blind or otherwise
20 physically impaired person while the latter is fishing. This
21 certification shall be carried by the individual while fishing;

22 10. Nonresidents under fourteen (14) years of age;

23 11. Any legal resident or nonresident who is a Job Corps
24 trainee of this state, provided that the trainees shall have on

1 their persons a duly authorized identification card issued by their
2 respective Job Corps Center and shall present the card upon request,
3 in lieu of a fishing license. The trainees shall return their cards
4 to their respective Job Corps Center when the trainees leave their
5 respective Job Corps training programs;

6 12. Any legal resident having a proven disability which renders
7 the resident nonambulatory and confined to a wheelchair as certified
8 by a physician licensed in this state or any state which borders
9 this state;

10 13. Any legal resident who is fishing with a pole and line,
11 trotline, or throwline in streams, natural lakes, natural ponds, and
12 mine pits in the county in which the person is a resident, or in
13 streams, natural lakes, natural ponds, and mine pits which form a
14 part of the boundary line of the county in which the person is a
15 resident, when using any bait other than commercial or artificial
16 bait, blood, stink bait, cut fish, and shrimp; and

17 14. Any legal resident or nonresident participating in an
18 aquatic education event or clinic sanctioned by the Department of
19 Wildlife Conservation.

20 C. Except as otherwise provided for in the Oklahoma Wildlife
21 Conservation Code, the resident fishing licenses issued pursuant to
22 the provisions of this section and the fee for each shall be:

23 1. Annual fishing license for legal residents eighteen (18)
24 years of age and older - Twenty-four Dollars (\$24.00);

1 2. Annual fishing license for legal residents sixteen (16) or
2 seventeen (17) years of age - Four Dollars (\$4.00); ~~and~~

3 3. Six-month fishing license for legal residents - Twenty
4 Dollars (\$20.00); and

5 4. Two-day fishing license for legal residents - Fourteen
6 Dollars (\$14.00).

7 D. Of the fees collected pursuant to the provisions of
8 paragraphs 1 ~~and~~, 3 and 4 of subsection C of this section, Five
9 Dollars (\$5.00) of the license fee shall be for the Oklahoma
10 Wildlife Land Stamp and shall be deposited in the Oklahoma Wildlife
11 Land Fund created pursuant to the provisions of Section 4-141 of
12 this title.

13 E. Except as otherwise provided for in the Oklahoma Wildlife
14 Conservation Code, the nonresident fishing licenses issued pursuant
15 to the provisions of this section and the fee for each shall be:

16 1. Annual fishing license for nonresidents - Fifty-four Dollars
17 (\$54.00), provided the Commission may enter into reciprocity
18 agreements with states wherein nonresident license fees shall be in
19 conformity with such reciprocal agreements;

20 2. Six-month fishing license for nonresidents - Forty-five
21 Dollars (\$45.00);

22 3. Six-day fishing license for nonresidents - Thirty-four
23 Dollars (\$34.00); and

1 ~~3.~~ 4. One-day fishing license for nonresidents - Fourteen
2 Dollars (\$14.00).

3 F. Of the fees collected pursuant to the provisions of
4 paragraphs 1, 2 ~~and~~, 3 and 4 of subsection E of this section, Five
5 Dollars (\$5.00) of the annual license fee for nonresidents, One
6 Dollar and fifty cents (\$1.50) of the six-day fishing license for
7 nonresidents fee and One Dollar and fifty cents (\$1.50) of the one-
8 day fishing license for nonresidents fee shall be deposited in the
9 Wildlife Land Acquisition Fund created pursuant to the provisions of
10 Section 4-132 of this title. Of the fees collected pursuant to the
11 provisions of paragraphs 1 , 2 ~~and~~, 3 and 4 of subsection E of this
12 section, Five Dollars (\$5.00) of the license fee shall be for the
13 Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma
14 Wildlife Land Fund created pursuant to the provisions of Section 4-
15 141 of this title.

16 G. Legal residents who have resided in this state for at least
17 six (6) months and who are receiving Social Security Disability
18 benefits, Supplemental Security Income benefits, disability benefits
19 under the Railroad Retirement Act, 45 U.S.C.A., Section 231a, postal
20 employees receiving disability benefits pursuant to 5, U.S.C.,
21 Section 8451 (1998) or legal residents who are one hundred percent
22 (100%) disabled and are receiving disability payments from the
23 Multiple Injury Trust Fund pursuant to Section 403 of Title 85 of
24

1 the Oklahoma Statutes, may purchase a disability fishing license
2 from the Director for Ten Dollars (\$10.00) for five (5) years.

3 H. 1. Any person arrested while violating the provisions of
4 this section who does not meet the requirements of subsection K of
5 this section, may purchase a substitute temporary thirty-day license
6 from the arresting game warden in lieu of posting bond. The fee for
7 a substitute license purchased pursuant to the provisions of this
8 subsection shall be:

9 a. for legal residents, Fifty Dollars (\$50.00), and

10 b. for nonresidents, Ninety Dollars (\$90.00).

11 2. Except as otherwise provided by this subsection, the fees
12 from licenses purchased pursuant to the provisions of this
13 subsection shall be deposited in the Wildlife Conservation Fund to
14 be used exclusively for developing, managing, preserving, and
15 protecting wildlife and wildlife habitat.

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

23 J. Unless a substitute license is purchased as provided for by
24 subsection H of this section, any nonresident convicted of violating

1 this section shall be punished by a fine of not less than Fifty
2 Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) or by
3 imprisonment in the county jail for a period not more than thirty
4 (30) days, or by both such fine and imprisonment.

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

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

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