

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 2846

By: Meredith

AS INTRODUCED

An Act relating to game and fish; amending 29 O.S. 2011, Section 4-112, as last amended by Section 3, Chapter 353, O.S.L. 2017 (29 O.S. Supp. 2017, Section 4-112), which relates to hunting licenses; raising certain nonresident hunting license fees; and providing an effective date.

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

SECTION 1. AMENDATORY 29 O.S. 2011, Section 4-112, as last amended by Section 3, Chapter 353, O.S.L. 2017 (29 O.S. Supp. 2017, 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

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 F 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)~~ One Hundred
15 Forty-six Dollars (\$146.00). Nonresidents hunting big game,
16 combination big game and upland game or exotic wildlife in a
17 commercial hunting area shall be required to have this 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 One Hundred Eighty Dollars (\$180.00). Nonresidents hunting big
22 game, combination big game and upland game or exotic wildlife in a
23 commercial hunting area shall be required to have this license;

24 3. Gun hunting license for deer:

- 1 a. during deer gun seasons occurring prior to January 16,
2 2021, for youth nonresidents seventeen (17) years of
3 age or younger which shall be valid for hunting one
4 antlerless deer allowed during the current calendar
5 year deer gun season - ~~Thirty Dollars (\$30.00)~~ Thirty-
6 five Dollars (\$35.00),
- 7 b. during deer gun seasons occurring prior to January 16,
8 2021, for youth nonresidents seventeen (17) years of
9 age or younger which shall be valid for hunting one
10 antlered or antlerless deer allowed during the current
11 calendar year deer gun season - ~~Ninety-nine Dollars~~
12 ~~(\$99.00)~~ One Hundred Four Dollars (\$104.00),
- 13 c. during deer gun seasons occurring prior to January 16,
14 2021, for nonresidents which shall be valid for
15 hunting all deer allowed during the current calendar
16 year deer gun season - ~~Two Hundred Ninety-nine Dollars~~
17 ~~(\$299.00)~~ Three Hundred Four Dollars (\$304.00), and
- 18 d. during any deer gun season occurring on or after
19 January 16, 2021, for nonresidents which shall be
20 valid for hunting all deer allowed during the current
21 calendar year deer gun season - ~~Two Hundred Seventy-~~
22 ~~nine Dollars (\$279.00)~~ Two Hundred Eighty-four Dollars
23 (\$284.00);
- 24

1 4. Archery hunting license for deer for nonresidents which
2 shall expire on January 15 of the calendar year after the year
3 purchased or, if purchased during the deer archery season, it shall
4 expire at the end of that deer archery season:

5 a. during deer archery seasons occurring prior to January
6 16, 2021, for youth nonresidents seventeen (17) years
7 of age or younger which shall be valid for hunting one
8 antlerless deer allowed during the current deer
9 archery season - ~~Thirty Dollars (\$30.00)~~ Thirty-five
10 Dollars (\$35.00),

11 b. during deer archery seasons occurring prior to January
12 16, 2021, for youth nonresidents seventeen (17) years
13 of age or younger which shall be valid for hunting one
14 antlered or antlerless deer allowed during the current
15 deer archery season - ~~Ninety-nine Dollars (\$99.00)~~ One
16 Hundred Four Dollars (\$104.00),

17 c. during deer archery seasons occurring prior to January
18 16, 2021, for nonresidents which shall be valid for
19 hunting all deer allowed during the current deer
20 archery season - ~~Two Hundred Ninety-nine Dollars~~
21 ~~(\$299.00)~~ Three Hundred Four Dollars (\$304.00), and

22 d. during any deer archery season occurring on or after
23 January 16, 2021, for nonresidents which shall be
24 valid for hunting all deer allowed during the current

1 deer archery season - ~~Two Hundred Seventy-nine Dollars~~
2 ~~(\$279.00)~~ Three Hundred Four Dollars (\$304.00);

3 5. Primitive firearms hunting license for deer for:

- 4 a. during deer primitive firearms seasons occurring prior
5 to January 16, 2021, for youth nonresidents seventeen
6 (17) years of age or younger which shall be valid for
7 hunting one antlerless deer allowed during the current
8 calendar year deer primitive firearms season - ~~Thirty~~
9 ~~Dollars (\$30.00)~~ Thirty-five Dollars (\$35.00),
- 10 b. during deer primitive firearms seasons occurring prior
11 to January 16, 2021, for youth nonresidents seventeen
12 (17) years of age or younger which shall be valid for
13 hunting one antlered or antlerless deer allowed during
14 the current calendar year deer primitive firearms
15 season - ~~Ninety-nine Dollars (\$99.00)~~ One Hundred Four
16 Dollars (\$104.00),
- 17 c. during deer primitive firearms seasons occurring prior
18 to January 16, 2021, for nonresidents which shall be
19 valid for hunting all deer allowed during the current
20 calendar year deer primitive firearms season - ~~Two~~
21 ~~Hundred Ninety-nine Dollars (\$299.00)~~ Three Hundred
22 Four Dollars (\$304.00), and
- 23 d. during any deer primitive firearms season occurring on
24 or after January 16, 2021, for nonresidents which

1 shall be valid for hunting all deer allowed during the
2 current calendar year deer primitive firearms season -
3 ~~Two Hundred Seventy-nine Dollars (\$279.00)~~ Two Hundred
4 Eighty-four Dollars (\$284.00);

5 6. Hunting license for antelope for nonresidents - ~~Three~~
6 ~~Hundred Five Dollars (\$305.00)~~ Three Hundred Ten Dollars (\$310.00);

7 7. Hunting license for elk for nonresidents - ~~Three Hundred~~
8 ~~Five Dollars (\$305.00)~~ Three Hundred Ten Dollars (\$310.00);

9 8. Five-day hunting license for nonresidents hunting game other
10 than deer, antelope, elk, quail, turkey or bear - ~~Seventy-four~~
11 ~~Dollars (\$74.00)~~ Seventy-nine Dollars (\$79.00). Nonresidents
12 hunting big game, combination big game and upland game or exotic
13 wildlife in a commercial hunting area shall be required to have this
14 license; and

15 9. Ten-day hunting license for nonresidents hunting small game
16 in a commercial hunting area - ~~Five Dollars (\$5.00)~~ Ten Dollars
17 (\$10.00).

18 D. The Department of Wildlife Conservation shall provide a
19 report to both the President Pro Tempore of the Senate and the
20 Speaker of the House of Representatives by February 1 of 2019 and
21 2020 setting forth information regarding licenses issued pursuant to
22 paragraphs 3, 4 and 5 of subsection C of this section, which shall
23 include, but not be limited to:

1 1. The number of licenses issued during the most recent
2 respective deer hunting seasons; and

3 2. A fiscal analysis comparing revenue generated from the fees
4 of the licenses issued during the most recent respective deer
5 hunting seasons compared to previous years and whether the deer
6 hunting license structure is beneficial to the Department.

7 E. Of the fees collected pursuant to the provisions of
8 subsection C of this section:

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

16 2. Five Dollars (\$5.00) of the license fee for each license
17 issued pursuant to paragraphs 1 through 8 of subsection C of this
18 section shall be for the Oklahoma Wildlife Land Stamp and shall be
19 deposited in the Oklahoma Wildlife Land Fund created pursuant to the
20 provisions of Section 4-141 of this title.

21 F. Except as otherwise provided, the resident hunting licenses
22 issued pursuant to this section and the fee for each license shall
23 be:
24

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

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

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

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

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

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

1 7. Gun hunting license for deer for residents eighteen (18)
2 years of age or older - Nineteen Dollars (\$19.00). The following
3 persons 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 8. Gun hunting license for deer for residents under eighteen
12 (18) years of age - Nine Dollars (\$9.00);

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

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

21 b. residents hunting in big game or combination big game
22 and upland game commercial hunting areas;

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

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

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

13 13. Hunting license for elk for residents - Fifty Dollars
14 (\$50.00). Residents hunting in big game or combination big game and
15 upland game commercial hunting areas shall be exempt from this
16 license;

17 14. Hunting license for antelope for residents - Fifty Dollars
18 (\$50.00). Residents hunting in big game or combination big game and
19 upland game commercial hunting areas shall be exempt from this
20 license; and

21 15. Bonus, special or additional gun hunting license for deer
22 for residents - Nineteen Dollars (\$19.00). The following persons
23 shall be exempt:
24

1 a. residents with proper certification from the United
2 States Department of Veterans Affairs or its
3 successor, certifying that the person is a disabled
4 veteran in receipt of compensation at the one-hundred-
5 percent rate, and

6 b. residents hunting in big game or combination big game
7 and upland game commercial hunting areas.

8 G. Residents hunting big game, combination big game and upland
9 game or exotic wildlife in a commercial hunting area shall be
10 required to have one of the following licenses:

11 1. An annual hunting license issued pursuant to paragraph 1, 2,
12 3 or 4 of subsection F of this section;

13 2. An annual hunting and fishing combination license issued
14 pursuant to Section 4-113 of this title;

15 3. A five-year hunting license or five-year combination hunting
16 and fishing license issued pursuant to Section 4-113.1 of this
17 title; or

18 4. A lifetime hunting license or lifetime combination hunting
19 and fishing license issued pursuant to Section 4-114 of this title.

20 H. Of the fees collected pursuant to the provisions of
21 paragraphs 1 and 2 of subsection F of this section, Five Dollars
22 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
23 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
24 created pursuant to the provisions of Section 4-141 of this title.

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

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

- 18 a. for legal residents, Fifty Dollars (\$50.00), and
- 19 b. for nonresidents, One Hundred Forty-five Dollars
20 (\$145.00).

21 2. Except as otherwise provided for by this subsection, the
22 fees from licenses purchased pursuant to the provisions of this
23 subsection shall be deposited in the Wildlife Conservation Fund to
24

1 be used exclusively for developing, managing, preserving, and
2 protecting wildlife and wildlife habitat.

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

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

18 M. Unless a substitute license is purchased as provided for by
19 subsection J of this section, any nonresident convicted of violating
20 the provisions of this section shall be punished by the imposition
21 of a fine of not less than Two Hundred Dollars (\$200.00) nor more
22 than Five Hundred Dollars (\$500.00), or by imprisonment in the
23 county jail for a period not to exceed six (6) months, or by both.

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

56-2-9202 AMM 01/11/18