

1 ENGROSSED SENATE AMENDMENT
2 TO
3 ENGROSSED HOUSE
4 BILL NO. 3639
5 By: Dempsey of the House
6
7 and
8 David of the Senate
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11 [hunting licenses - modifying fees -
12
13 emergency]
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16 AMENDMENT NO. 1. Page 1, strike the enacting clause
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18 Passed the Senate the 28th day of April, 2022.
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1 ENGROSSED HOUSE
2 BILL NO. 3639

By: Dempsey of the House

3 and

4 David of the Senate

5
6 [hunting licenses - modifying fees -

7 emergency]

8
9
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 29 O.S. 2021, Section 4-112, is
12 amended to read as follows:

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

1 B. The following legal residents of Oklahoma shall be exempt
2 from the annual hunting license requirement of paragraph 1 of
3 subsection F of this section and the following nonresidents shall be
4 exempt from the annual nonresident hunting licenses required
5 pursuant to ~~paragraph~~ paragraphs 1 and 2 of subsection C of this
6 section:

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

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

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

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

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

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

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

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

1 9. Any legal resident or nonresident hunting, pursuing,
2 trapping, harassing, catching, killing, taking, or attempting to
3 take in any manner any species of rattlesnake during an organized
4 rattlesnake-hunting event or festival and who has a rattlesnake
5 permit issued pursuant to Section 4-143 of this title.

6 C. Except as otherwise provided for in the Oklahoma Wildlife
7 Conservation Code, the nonresident hunting licenses issued pursuant
8 to this section and the fee for each license shall be:

9 1. Annual hunting license for nonresidents hunting game other
10 than deer, antelope, elk or bear which expires on December 31 of the
11 year purchased - One Hundred Forty-one Dollars (\$141.00).

12 Nonresidents hunting big game, combination big game and upland game
13 or exotic wildlife in a commercial hunting area shall be required to
14 have this license;

15 2. Annual hunting license for nonresidents hunting game other
16 than deer, antelope, elk or bear which expires on June 30 of the
17 fiscal year purchased - One Hundred Seventy-five Dollars (\$175.00).

18 Nonresidents hunting big game, combination big game and upland game
19 or exotic wildlife in a commercial hunting area shall be required to
20 have this license;

21 3. Gun hunting license for deer:

22 a. during deer gun seasons ~~occurring prior to January 16,~~
23 ~~2021,~~ for youth nonresidents seventeen (17) years of
24 age or younger which shall be valid for hunting one

1 antlerless deer allowed during the current calendar
2 year deer gun ~~season~~ seasons - Thirty Dollars
3 (\$30.00),

4 b. during deer gun seasons ~~occurring prior to January 16,~~
5 ~~2021,~~ for youth nonresidents seventeen (17) years of
6 age or younger which shall be valid for hunting one
7 antlered or antlerless deer allowed during the current
8 calendar year deer gun ~~season~~ seasons - Ninety-nine
9 Dollars (\$99.00), and

10 c. during deer gun seasons ~~occurring prior to January 16,~~
11 ~~2021,~~ for nonresidents which shall be valid for
12 hunting all deer allowed during the current calendar
13 year deer gun season - Two Hundred Ninety-nine Dollars
14 (\$299.00), ~~and~~

15 ~~d. during any deer gun season occurring on or after~~
16 ~~January 16, 2021, for nonresidents which shall be~~
17 ~~valid for hunting all deer allowed during the current~~
18 ~~calendar year deer gun season - Two Hundred Seventy-~~
19 ~~nine Dollars (\$279.00);~~

20 4. Archery hunting license for deer for nonresidents which
21 shall expire on January 15 of the calendar year after the year
22 purchased or, if purchased during the deer archery season, it shall
23 expire at the end of that deer archery season:
24

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

22 5. Primitive firearms hunting license for deer for:

- 23 a. during deer primitive firearms seasons ~~occurring prior~~
24 ~~to January 16, 2021,~~ for youth nonresidents seventeen

(17) years of age or younger which shall be valid for hunting one antlerless deer allowed during the current calendar year deer primitive firearms ~~season~~ seasons - Thirty Dollars (\$30.00),

b. during deer primitive firearms seasons ~~occurring prior to January 16, 2021,~~ for youth nonresidents seventeen (17) years of age or younger which shall be valid for hunting one antlered or antlerless deer allowed during the current calendar year deer primitive firearms ~~season~~ seasons - Ninety-nine Dollars (\$99.00), and

c. during deer primitive firearms seasons ~~occurring prior to January 16, 2021,~~ for nonresidents which shall be valid for hunting all deer allowed during the current calendar year deer primitive firearms season - Two Hundred Ninety-nine Dollars (\$299.00), and

~~d. during any deer primitive firearms season occurring on or after January 16, 2021, for nonresidents which shall be valid for hunting all deer allowed during the current calendar year deer primitive firearms season - Two Hundred Seventy-nine Dollars (\$279.00);~~

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

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

1 8. Five-day hunting license for nonresidents hunting game other
2 than deer, antelope, elk, quail, turkey or bear - Seventy-four
3 Dollars (\$74.00). Nonresidents hunting big game, combination big
4 game and upland game or exotic wildlife in a commercial hunting area
5 shall be required to have this license; and

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

8 D. The Department of Wildlife Conservation shall provide a
9 report to both the President Pro Tempore of the Senate and the
10 Speaker of the House of Representatives by February 1 of 2019 and
11 2020 setting forth information regarding licenses issued pursuant to
12 paragraphs 3, 4 and 5 of subsection C of this section, which shall
13 include, but not be limited to:

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

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

20 E. Of the fees collected pursuant to the provisions of
21 subsection C 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 of this
24 section and Two Dollars and fifty cents (\$2.50) of the license fee

1 for each license issued pursuant to paragraph 8 of subsection C of
2 this section shall be deposited in the Wildlife Land Acquisition
3 Fund created pursuant to the provisions of Section 4-132 of this
4 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 of this
7 section shall be for the Oklahoma Wildlife Land Stamp and shall be
8 deposited in the Oklahoma Wildlife Land Fund created pursuant to the
9 provisions of Section 4-141 of this title.

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

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

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

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

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

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

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

11 7. Gun hunting license for deer for residents eighteen (18)
12 years of age or older - Nineteen Dollars (\$19.00). The following
13 persons 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 8. Gun hunting license for deer for residents under eighteen
22 (18) years of age - Nine Dollars (\$9.00);
23
24

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

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

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

1 13. Hunting license for elk for residents - Fifty Dollars
2 (\$50.00). Residents hunting in big game or combination big game and
3 upland game commercial hunting areas shall be exempt from this
4 license;

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

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

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

17 b. residents hunting in big game or combination big game
18 and upland game commercial hunting areas.

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

22 1. An annual hunting license issued pursuant to paragraph 1, 2,
23 3 or 4 of subsection F of this section;

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

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

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

8 H. Of the fees collected pursuant to the provisions of
9 paragraphs 1 and 2 of subsection F of this section, Five Dollars
10 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
11 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
12 created pursuant to the provisions of Section 4-141 of this title.

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

22 J. 1. Any person arrested for hunting game other than deer,
23 antelope, elk, bear or turkey without a valid hunting license as
24 required by the provisions of subsection A of this section may

1 purchase a substitute temporary thirty-day license from the
2 arresting game warden in lieu of posting bond. Proof of hunter
3 safety certification will not be required for the temporary
4 substitute license. The fee for a substitute license purchased
5 pursuant to the provisions of this subsection shall be:

- 6 a. for legal residents, Fifty Dollars (\$50.00), and
- 7 b. for nonresidents, One Hundred Forty-five Dollars
8 (\$145.00).

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

14 K. Any person producing proof in court that a current hunting
15 license issued by the Department of Wildlife Conservation to that
16 person was in force at the time of the alleged offense shall be
17 entitled to dismissal of a charge of violating this section upon
18 payment of court costs. If proof of a current hunting license
19 issued by the Department to the person that was in force at the time
20 of the alleged offense is presented to the court or district
21 attorney within seventy-two (72) hours after the violation, the
22 charge shall be dismissed without payment of court costs.

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

the provisions of this section shall be punished by the imposition of a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00), or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both.

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

SECTION 2. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 10th day of March, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the _____ day of _____, 2022.

Presiding Officer of the Senate