

An Act

ENROLLED HOUSE
BILL NO. 4281

By: Dempsey and Sneed of the
House

and

Murdock of the Senate

An Act relating to fish and wildlife; amending 29 O.S. 2021, Section 5-301, which relates to limitation on predator control devices; removing certain limitation for use of cyanide devices; updating statutory language; and providing an effective date.

SUBJECT: Fish and wildlife

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

SECTION 1. AMENDATORY 29 O.S. 2021, Section 5-301, is amended to read as follows:

Section 5-301. A. No person may set or use at any time any poison, cyanide coyote getter, or other similar device, using cyanide gas or other poisonous gas as the lethal agent, for the purpose of killing predators, except in accordance with the following conditions and procedures:

1. Signs of a size and character and with wording to be determined by the Oklahoma Department of Agriculture, Food, and Forestry indicating the presence of cyanide coyote getters or other similar device using cyanide gas or other poisonous gas as the lethal agent, shall be posted on all properties where ~~said the~~ the coyote getters are set to the right and left of all entrances from public roads and highways and from adjacent lands ~~and at corners of perimeter fences.~~

2. Such devices shall not be set from April 1 to September 30 of each calendar year; provided, ~~that,~~ any devices set or used within a commercial hunting area by a person holding a big game or big game and upland game combination license pursuant to Section 4-106 of this title or a licensed farmed cervidae facility by a person holding a farmed cervidae facility license pursuant to the Oklahoma Farmed Cervidae Act may be set or used at any time of the year.

3. All signs as required by this article shall be in place twenty-four (24) hours before ~~said~~ the devices are set and shall be properly maintained in place during the permission period herein provided.

4. A game warden may issue a permit for the setting of such devices and such permit must be obtained prior to the setting of such devices. Each permit shall be made in triplicate, the original to be retained by the landowner concerned, one copy retained by the game warden and the other copy mailed immediately to the Department for its permanent record.

5. In applying for a permit, the landowner shall state the number of devices to be set and the approximate location to the nearest forty (40) acres.

6. Written permission permits required by this section shall cover a period not exceeding six (6) months; provided, however, that ~~said~~ the permits shall be subject to renewal for a like period of time.

7. All signs required by this section shall be removed at the end of the permission period, unless ~~said~~ the permit is renewed prior to the expiration date thereof.

8. No predator control devices shall be on any property without the written permission of the record owner or lessee thereof.

B. Predatory control conducted by the Oklahoma Department of Agriculture, Food, and Forestry or the Department of Wildlife Conservation shall be exempt from the provisions of paragraphs 4, 5 and 6 of subsection A of this section.

C. The Director of the Department of Wildlife Conservation may issue depredation permits to landowners for control of any nuisance wildlife.

D. Any person convicted of violating the provisions of this section shall be punished by a fine ~~of~~ not less than Fifty Dollars (\$50.00), or by imprisonment in the county jail for not more than thirty (30) days, or by both such fine and imprisonment.

SECTION 2. This act shall become effective November 1, 2022.

Passed the House of Representatives the 16th day of May, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 27th day of April, 2022.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____