

STATE OF OKLAHOMA

FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Submitted by:

Senator Treat

I hereby grant permission for the floor substitute to be adopted.

Senator Murdock, Chair (required)

Senator Hall

Senator Pederson

Senator Howard

Senator Boren

Senator Kidd

Senator Bullard

Senator Leewright

Senator Burns

~~Senator Merrick~~

Senator David

Senator Pemberton

Senator Dossett (J.J.)

Senator Stephens

Senator Dugger

Senator Treat, President Pro Tempore

Senator McCortney, Majority Floor
Leader

Note: Agriculture and Wildlife committee majority requires eight (8) members' signatures.

Treat-MR-FA-SB1696
2/16/2022 7:58 AM

(Floor Amendments Only)

Date and Time Filed: 2/17/22 1:36 pm *g*

☐ Untimely☐ Amendment Cycle Extended☐ Secondary Amendment

STATE OF OKLAHOMA
2nd Session of the 58th Legislature (2022)

FLOOR SUBSTITUTE
FOR
SENATE BILL NO. 1696

By: Treat

FLOOR SUBSTITUTE

An Act relating to hunting and fishing; amending 29 O.S. 2021, Sections 4-101, 4-112, as last amended by Section 3, Chapter 229, O.S.L. 2017, and 4-113, which relate to hunting and fishing licenses; allowing for expiration of nonresident and resident licenses one year after purchase; clarifying language; modifying fee schedule for certain legal residents; updating statutory reference; and providing an effective date.

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

SECTION 1. AMENDATORY 29 O.S. 2021, Section 4-101, is amended to read as follows:

Section 4-101. A. All licenses and permits issued by the Director of Wildlife Conservation, the Department of Wildlife Conservation or by any of its agents shall be used only in conformity with the provisions of this title and the rules promulgated by the Oklahoma Wildlife Conservation Commission.

B. All persons making application for any licenses required by this section shall produce a valid license to operate a motor vehicle or other positive proof of identification, age and

1 residency, and any such license issued shall show such data as well
2 as the date and time of issuance.

3 C. All licenses are nontransferable. No person shall alter,
4 change, lend or transfer any license. No person shall use or borrow
5 a license which has not been issued to that person by the Director,
6 the Department or by any of its agents pursuant to the provisions of
7 this section.

8 D. No person may engage in activities requiring a license
9 without that person's carrying such license on their person and
10 producing the same for an inspection upon the demand of any Oklahoma
11 citizen or game warden.

12 E. Any person required to produce a license must also identify
13 themselves as the person to whom such license was issued, and
14 failure or refusal to comply shall be deemed prima facie evidence of
15 a violation of this section.

16 F. Unless otherwise provided in this Code:

17 1. ~~Hunting licenses~~ Licenses issued pursuant to paragraph 1 of
18 subsection C and paragraphs 1 and ~~3~~ 2 of subsection E of Section 4-
19 112 of this title and paragraphs 1 and ~~3~~ 2 of subsection B of
20 Section 4-113 of this title ~~shall expire on December 31 of the year~~
21 ~~issued. Hunting licenses issued pursuant to paragraph 2 of~~
22 ~~subsection C and paragraphs 2 and 4 of subsection E of Section 4-112~~
23 ~~of this title and paragraphs 2 and 4 of subsection B of Section 4-~~
24 ~~113 of this title shall expire on June 30 of the fiscal year issued.~~

1 ~~All other licenses~~ and paragraphs 1 and 2 of subsection C and
2 paragraph 1 of subsection E of Section 4-110 of this title shall
3 ~~terminate December 31 for the year~~ expire one (1) year after the
4 date issued. Unless otherwise specified, all other licenses shall
5 expire December 31 for the year issued; and

6 2. Any person convicted of violating any of the provisions of
7 this title may have any or all licenses held by that person or the
8 privilege of applying for, purchasing or exercising the benefits
9 conferred by the licenses revoked by the Department in accordance
10 with rules promulgated by the Commission or by a court of competent
11 jurisdiction for a period of not less than one (1) year. For
12 purposes of this paragraph, a court conviction, a plea of guilty, a
13 plea of nolo contendere, the imposition of a deferred or suspended
14 sentence by a court, or forfeiture of bond shall be deemed a
15 conviction.

16 G. Should any license or permit issued pursuant to Part 1 of
17 Article IV of this title be lost or destroyed, duplicates will be
18 issued by the Department at a fee of One Dollar and fifty cents
19 (\$1.50).

20 H. Upon harvesting any whitetail or mule deer, or any other
21 wildlife where the hunter, according to Commission rules, is
22 required to check the wildlife in at a Department check station, the
23 taker of the wildlife shall:

1 1. Securely attach the name of the taker, time of harvest, date
2 of harvest and license number to the carcass of the wildlife;

3 2. Check in the carcass of the wildlife electronically using
4 the online check station provided on the official website of the
5 Oklahoma Department of Wildlife Conservation or as prescribed by
6 rule of the Commission, within twenty-four (24) hours of leaving the
7 hunt area and in all cases prior to processing the carcass; and

8 3. Not remove evidence of the sex of the animal until after the
9 carcass of the animal has been checked in.

10 I. It shall be unlawful for any license or permit holder to
11 knowingly make a false statement or give false information to any
12 authorized hunter check station or to an authorized Department
13 employee when complying with the provisions of subsection H of this
14 section. Information which may be collected at a Department check
15 station shall include but not be limited to the name, address,
16 license or permit number and signature of the taker, the date, time,
17 county, method or weapon of the kill, sex and weight of carcass,
18 whether or not the animal was taken on public hunting land and if so
19 in what area, or any other information which may be required by the
20 Commission.

21 J. 1. Any person convicted of violating the provisions of this
22 section or of making a false statement or giving any false
23 information in order to acquire any license or permit, pursuant to
24 the provisions of this section, shall be punishable by a fine of not

1 less than One Hundred Dollars (\$100.00) nor more than Two Hundred
2 Fifty Dollars (\$250.00), or by imprisonment in the county jail for a
3 period not to exceed ten (10) days, or by both such fine and
4 imprisonment. Any person convicted of a second or subsequent
5 violation of the provisions of this section or of making a false
6 statement or giving any false information in order to acquire any
7 license or permit, pursuant to the provisions of this section, shall
8 be punishable by a fine of not less than Two Hundred Fifty Dollars
9 (\$250.00) nor more than Seven Hundred Fifty Dollars (\$750.00), or by
10 imprisonment in the county jail for a period not to exceed ten (10)
11 days, or by both such fine and imprisonment.

12 2. Any hunting or fishing license issued to a person by the
13 Department of Wildlife Conservation shall be automatically revoked
14 upon conviction of the person of violating the provisions of this
15 section. The revocation shall be for a period set by the court of
16 not less than one (1) year nor more than ten (10) years. If the
17 court does not set a period, the revocation shall be for one (1)
18 year from the date of the conviction. During this period of
19 revocation, the Department shall not issue the person a hunting or
20 fishing license. If the court does not set a revocation period, the
21 Department shall not issue that person a license within one (1) year
22 of the conviction of the person pursuant to this section. A person
23 who has a license or permit revoked pursuant to this section shall
24 surrender the revoked license or permit to the court, or the court

1 may order the defendant to surrender the license or permit directly
2 to an officer from the Department of Wildlife Conservation present
3 at the hearing. If the license or permit is surrendered to the
4 court, the court shall send the Department of Wildlife Conservation
5 the revoked license. The court shall also send the Department a
6 copy of the judgment of conviction. For purposes of this section,
7 "conviction" shall include a plea of guilty or nolo contendere to an
8 offense or the imposition of deferred adjudication for an offense.
9 In lieu of sending a paper copy of the documents and information
10 required by this subsection, the court clerk may transmit the
11 conviction information by using an electronic method authorized by
12 the Department of Wildlife Conservation.

13 K. Any person who has had their license privileges revoked
14 shall not be entitled to purchase, apply for, or exercise the
15 benefits conferred by any license until the revocation period has
16 expired or the person has obtained approval from the Director. Any
17 person violating the provisions of this subsection, upon conviction,
18 shall be punished by a fine of not more than Five Hundred Dollars
19 (\$500.00), or by imprisonment in a county jail for a term of not
20 more than ninety (90) days or by both the fine and imprisonment.
21 Upon conviction under this subsection, the previously granted
22 license revocation period shall be extended by two (2) additional
23 years.

24

SECTION 2. AMENDATORY 29 O.S. 2021, Section 4-112, as last amended by Section 3, Chapter 229, O.S.L. 2017, 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 Oklahoma 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 procuring a hunting license pursuant to the provisions of this section.

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

1. Legal residents under sixteen (16) years of age;
2. Legal residents sixty-five (65) years of age or older provided they have obtained a senior citizen lifetime hunting or combination hunting and fishing license pursuant to the provisions of Section 4-114 of this title;

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

2 4. Legal resident veterans having a disability of sixty percent
3 (60%) or more and registered with the veterans registry created by
4 the Oklahoma Department of Veterans Affairs; provided, that if the
5 veteran has previously received an exemption pursuant to this
6 paragraph, no registration with the veterans registry shall be
7 required;

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

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

11 7. Legal residents having a proven disability which renders
12 them nonambulatory and confines them to a wheelchair, as certified
13 by a physician licensed in this state or in any state which borders
14 this state;

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

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

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

4 ~~1. Annual hunting license for nonresidents hunting game other~~
5 ~~than deer, antelope, elk or bear which expires on December 31 of the~~
6 ~~year purchased - One Hundred Forty-one Dollars (\$141.00).~~
7 ~~Nonresidents hunting big game or combination big game and upland~~
8 ~~game in a commercial hunting area shall be required to have this~~
9 ~~license;~~

10 ~~2.~~ Annual hunting license for nonresidents hunting game other
11 than deer, antelope, elk or bear which expires ~~on June 30 of the~~
12 ~~fiscal~~ one (1) year purchased after the date of issuance - One
13 Hundred Seventy-five Dollars (\$175.00). Nonresidents hunting big
14 game or combination big game and upland game in a commercial hunting
15 area shall be required to have this license;

16 ~~3.~~ 2. Gun hunting license for deer for nonresidents which shall
17 be valid for hunting all deer allowed during the current calendar
18 year deer gun season - Two Hundred Seventy-nine Dollars (\$279.00);

19 ~~4.~~ 3. Archery hunting license for deer for nonresidents which
20 shall expire on January 15 of the calendar year after the year
21 purchased or if purchased during the deer archery season it shall
22 expire at the end of that deer archery season - Two Hundred Seventy-
23 nine Dollars (\$279.00);

~~5.~~ 4. Primitive firearms hunting license for deer 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.~~ 5. Hunting license for antelope for nonresidents - Three Hundred Five Dollars (\$305.00);

~~7.~~ 6. Hunting license for elk for nonresidents - Three Hundred Five Dollars (\$305.00);

~~8.~~ 7. Five-day hunting license for nonresidents hunting game other than deer, antelope, elk, quail, turkey or bear - Seventy-four Dollars (\$74.00); and

~~9.~~ 8. Ten-day hunting license for nonresidents hunting small game in a commercial hunting area - Five Dollars (\$5.00).

D. Of the fees collected pursuant to the provisions of subsection C of this section:

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

2. Five Dollars (\$5.00) of the license fee for each license issued pursuant to paragraphs 1 through 8 of subsection C of this

section shall be for the Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma Wildlife Land Fund created pursuant to the provisions of Section 4-141 of this title.

E. Except as otherwise provided, the annual resident hunting licenses issued pursuant to this subsection shall expire one (1) year after the date of issuance. The resident hunting licenses issued pursuant to this section and the fee for each license shall be:

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

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

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

~~4. 2. Annual hunting license for residents sixteen (16) or seventeen (17) years of age which expires on June 30 of the fiscal year purchased - Six Dollars (\$6.00);~~

~~5. 3. Ten-day hunting license for residents for small game in a commercial hunting area - Five Dollars (\$5.00);~~

~~6. 4. Five-year disability hunting license for residents of this state for at least six (6) months who are receiving Social~~

1 Security Disability benefits, Supplemental Security Income benefits
2 or disability benefits under the Railroad Retirement Act, 45
3 U.S.C.A., Section 231a, or residents who are one-hundred-percent
4 disabled and are receiving disability payments from the Multiple
5 Injury Trust Fund pursuant to Section 31 of Title 85A of the
6 Oklahoma Statutes - Ten Dollars (\$10.00);

7 ~~7.~~ 5. Gun hunting license for deer for residents eighteen (18)
8 years of age or older - Nineteen Dollars (\$19.00). The following
9 persons shall be exempt:

10 a. residents with proper certification from the United
11 States Department of Veterans Affairs or its
12 successor, certifying that the person is a disabled
13 veteran in receipt of compensation at the one-hundred-
14 percent rate and registered with the veterans registry
15 created by the Oklahoma Department of Veterans
16 Affairs; provided, that if the veteran has previously
17 received an exemption pursuant to this subparagraph,
18 no registration with the veterans registry shall be
19 required, and

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

22 ~~8.~~ 6. Gun hunting license for deer for residents under eighteen
23 (18) years of age - Nine Dollars (\$9.00);
24

1 ~~9.~~ 7. Archery hunting license for deer for residents eighteen
2 (18) years of age or older - Nineteen Dollars (\$19.00). The
3 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 registered with the veterans registry
9 created by the Oklahoma Department of Veterans
10 Affairs; provided, that if the veteran has previously
11 received the exemption pursuant to this subparagraph,
12 no registration with the veterans registry shall be
13 required, and

14 b. residents hunting in big game or combination big game
15 and upland game commercial hunting areas;

16 ~~10.~~ 8. Archery hunting license for deer for residents under
17 eighteen (18) years of age - Nine Dollars (\$9.00);

18 ~~11.~~ 9. Primitive firearms hunting license for deer for
19 residents eighteen (18) years of age or older - Nineteen Dollars
20 (\$19.00). The following persons shall be exempt:

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

1 percent rate and registered with the veterans registry
2 created by the Oklahoma Department of Veterans
3 Affairs; provided, that if the veteran has previously
4 received the exemption pursuant to this subparagraph,
5 no registration with the veterans registry shall be
6 required, and

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

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

11 ~~13.~~ 11. Hunting license for elk for residents - Fifty Dollars
12 (\$50.00). Residents hunting in big game or combination big game and
13 upland game commercial hunting areas shall be exempt from this
14 license;

15 ~~14.~~ 12. Hunting license for antelope for residents - Fifty
16 Dollars (\$50.00). Residents hunting in big game or combination big
17 game and upland game commercial hunting areas shall be exempt from
18 this license; and

19 ~~15.~~ 13. Bonus, special or additional gun hunting license for
20 deer for residents - Nineteen Dollars (\$19.00). The following
21 persons shall be exempt:

22 a. residents with proper certification from the United
23 States Department of Veterans Affairs or its
24 successor, certifying that the person is a disabled

1 veteran in receipt of compensation at the one-hundred-
2 percent rate and registered with the veterans registry
3 created by the Oklahoma Department of Veterans
4 Affairs; provided, that if the veteran has previously
5 received the exemption pursuant to this subparagraph,
6 no registration with the veterans registry shall be
7 required, and

8 b. residents hunting in big game or combination big game
9 and upland game commercial hunting areas.

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

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

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

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

10 b. for nonresidents, One Hundred Forty-five Dollars
11 (\$145.00).

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

17 I. Any person producing proof in court that a current hunting
18 license issued by the Department of Wildlife Conservation to that
19 person was in force at the time of the alleged offense shall be
20 entitled to dismissal of a charge of violating this section upon
21 payment of court costs. If proof of a current hunting license
22 issued by the Department to the person that was in force at the time
23 of the alleged offense is presented to the court or district
24

1 attorney within seventy-two (72) hours after the violation, the
2 charge shall be dismissed without payment of court costs.

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

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

15 L. The Oklahoma Wildlife Conservation Commission shall
16 promulgate any rules necessary to implement the provisions of this
17 section.

18 SECTION 3. AMENDATORY 29 O.S. 2021, Section 4-113, is
19 amended to read as follows:

20 Section 4-113. A. Legal residents who are not the individuals
21 ~~excepted~~ exempted from the license requirement as provided in
22 subsection B of Section 4-112 of this title may purchase an annual
23 combination hunting/fishing license from the Director or agents of
24 the Director.

B. The fee for each combination hunting/fishing license issued under this section shall be:

~~1. For legal residents eighteen (18) years of age and older for a license that expires on December 31 of the year purchased - Forty one Dollars (\$41.00);~~

~~2. For residents eighteen (18) years of age and older for a license that expires on June 30 of the fiscal year purchased one (1) year after the date of issuance - Fifty-two Dollars (\$52.00);~~

~~3. For legal residents sixteen (16) or seventeen (17) years of age for a license that expires on December 31 of the year purchased - Thirteen Dollars (\$13.00); and~~

~~4.~~ 2. For legal residents sixteen (16) or seventeen (17) years of age for a license that expires ~~on June 30 of the fiscal year purchased~~ one (1) year after the date of issuance - Eighteen Dollars (\$18.00).

C. Of the fees collected pursuant to the provisions of ~~paragraphs~~ paragraph 1 and 2 of subsection B of this section, Five Dollars (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma Wildlife Land Fund created pursuant to the provisions of Section 4-141 of this title.

SECTION 4. This act shall become effective November 1, 2022.

58-2-3595

MR

2/17/2022 2:37:06 PM

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