

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 3639

By: Dempsey

4  
5  
6 AS INTRODUCED

7 An Act relating to hunting; amending 29 O.S. 2021,  
8 Section 4-112, which relates to hunting licenses;  
modifying fees; and providing an effective date.

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10  
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

14 Section 4-112. A. Except as otherwise provided for in the  
15 Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae  
16 Act, no person may hunt, pursue, trap, harass, catch, kill, take or  
17 attempt to take in any manner, use, have in possession, sell, or  
18 transport all or any portion of any wildlife except fish, without  
19 having first procured a license from the Department of Wildlife  
20 Conservation. The Wildlife Conservation Commission shall designate  
21 a consecutive Saturday and Sunday in September of each year as free  
22 hunting days in which residents of this state may hunt without first  
23 procuring a hunting license pursuant to the provisions of this  
24 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~~ on or after  
23                January 16, ~~2021~~ 2023, for youth nonresidents  
24                seventeen (17) years of age or younger which shall be

valid for hunting one antlerless deer allowed during the current calendar year deer gun season - Thirty Dollars (\$30.00),

- b. during deer gun seasons occurring ~~prior to~~ on or after January 16, ~~2021~~ 2023, 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 gun season - ~~Ninety-nine~~ Thirty Dollars ~~(\$99.00)~~ (\$30.00),
- c. during deer gun seasons occurring prior to January 16, 2021, for nonresidents which shall be valid for hunting all deer allowed during the current calendar year deer gun season - Two Hundred Ninety-nine Dollars (\$299.00), and
- d. during any deer gun season occurring on or after January 16, 2021, for nonresidents, excluding youth nonresidents, which shall be valid for hunting all deer allowed during the current calendar year deer gun season - Two Hundred Seventy-nine Dollars (\$279.00);

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

- 1 a. during deer archery seasons occurring ~~prior to~~ on or  
2 after January 16, ~~2021~~ 2023, for youth nonresidents  
3 seventeen (17) years of age or younger which shall be  
4 valid for hunting one antlerless deer allowed during  
5 the current deer archery season - Thirty Dollars  
6 (\$30.00),
- 7 b. during deer archery seasons occurring ~~prior to~~ on or  
8 after January 16, ~~2021~~ 2023, for youth nonresidents  
9 seventeen (17) years of age or younger which shall be  
10 valid for hunting one antlered or antlerless deer  
11 allowed during the current deer archery season -  
12 ~~Ninety-nine~~ Thirty Dollars ~~(\$99.00)~~ (\$30.00),
- 13 c. during deer archery seasons occurring prior to January  
14 16, 2021, for nonresidents which shall be valid for  
15 hunting all deer allowed during the current deer  
16 archery season - Two Hundred Ninety-nine Dollars  
17 (\$299.00), and
- 18 d. during any deer archery season occurring on or after  
19 January 16, 2021, for nonresidents, excluding youth  
20 nonresidents, which shall be valid for hunting all  
21 deer allowed during the current deer archery season -  
22 Two Hundred Seventy-nine Dollars (\$279.00);

23 5. Primitive firearms hunting license for deer for:  
24

- 1           a.    during deer primitive firearms seasons occurring ~~prior~~  
2           ~~to~~ on or after January 16, ~~2021~~ 2023, for youth  
3           nonresidents seventeen (17) years of age or younger  
4           which shall be valid for hunting one antlerless deer  
5           allowed during the current calendar year deer  
6           primitive firearms season - Thirty Dollars (\$30.00),
- 7           b.    during deer primitive firearms seasons occurring ~~prior~~  
8           ~~to~~ on or after January 16, ~~2021~~ 2023, for youth  
9           nonresidents seventeen (17) years of age or younger  
10          which shall be valid for hunting one antlered or  
11          antlerless deer allowed during the current calendar  
12          year deer primitive firearms season - ~~Ninety-nine~~  
13          Thirty Dollars ~~(\$99.00)~~ (\$30.00),
- 14          c.    during deer primitive firearms seasons occurring prior  
15          to January 16, 2021, for nonresidents which shall be  
16          valid for hunting all deer allowed during the current  
17          calendar year deer primitive firearms season - Two  
18          Hundred Ninety-nine Dollars (\$299.00), and
- 19          d.    during any deer primitive firearms season occurring on  
20          or after January 16, 2021, for nonresidents, excluding  
21          youth nonresidents, which shall be valid for hunting  
22          all deer allowed during the current calendar year deer  
23          primitive firearms season - Two Hundred Seventy-nine  
24          Dollars (\$279.00);

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

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

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

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

12       D. The Department of Wildlife Conservation shall provide a  
13 report to both the President Pro Tempore of the Senate and the  
14 Speaker of the House of Representatives by February 1 of 2019 and  
15 2020 setting forth information regarding licenses issued pursuant to  
16 paragraphs 3, 4 and 5 of subsection C of this section, which shall  
17 include, but not be limited to:

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

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

1 E. Of the fees collected pursuant to the provisions of  
2 subsection C of this section:

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

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

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

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

21 2. Annual hunting license for residents eighteen (18) years of  
22 age and older which expires on June 30 of the fiscal year purchased  
23 - Thirty-one Dollars (\$31.00);  
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1        3. Annual hunting license for residents sixteen (16) or  
2        seventeen (17) years of age which expires on December 31 of the year  
3        purchased - Four Dollars (\$4.00);

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

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

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

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

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

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

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

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

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

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

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

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

The following persons shall be exempt:

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

1           b.     residents hunting in big game or combination big game  
2                   and upland game commercial hunting areas;

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

5       13.   Hunting license for elk 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;

9       14.   Hunting license for antelope for residents - Fifty Dollars  
10 (\$50.00). Residents hunting in big game or combination big game and  
11 upland game commercial hunting areas shall be exempt from this  
12 license; and

13       15.   Bonus, special or additional gun hunting license for deer  
14 for residents - Nineteen Dollars (\$19.00). The following persons  
15 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  
24

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

4 1. An annual hunting license issued pursuant to paragraph 1, 2,  
5 3 or 4 of subsection F of this section;

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

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

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

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

18 I. The provisions of this section shall not be construed to  
19 require a hunting license, resident or nonresident, of any person  
20 merely because the person participates, as owner or handler of an  
21 entry, as an official, or as a spectator in the conduct of a field  
22 trial or performance test of dogs, whether a resident or nonresident  
23 of the State of Oklahoma. No license to hunt shall be required of  
24 any person engaged in training or working dogs, provided that person

1 is in no way engaged in hunting and does not take or attempt to take  
2 in any manner any game.

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

- 11 a. for legal residents, Fifty Dollars (\$50.00), and
- 12 b. for nonresidents, One Hundred Forty-five Dollars  
13 (\$145.00).

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

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

1 of the alleged offense is presented to the court or district  
2 attorney within seventy-two (72) hours after the violation, the  
3 charge shall be dismissed without payment of court costs.

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

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

16 SECTION 2. This act shall become effective November 1, 2022.  
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18 58-2-9731 JL 01/07/22  
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