

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2868 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Kevin Wallace

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

PROPOSED COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 2868

By: Wallace

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to wildlife; amending 29 O.S. 2021, Section 4-112, as amended by Section 1, Chapter 347, O.S.L. 2022 (29 O.S. Supp. 2022, Section 4-112), which relates to hunting licenses; modifying licenses authorization; and providing an effective date.

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

SECTION 1. AMENDATORY 29 O.S. 2021, Section 4-112, as amended by Section 1, Chapter 347, O.S.L. 2022 (29 O.S. Supp. 2022, Section 4-112), is amended to read as follows:

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 hunting days in which

1 residents of this state may hunt without first procuring a hunting
2 license pursuant to the provisions of this section.

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

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

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

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

14 4. Legal resident veterans having a disability of sixty percent
15 (60%) or more;

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

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

19 7. Legal residents having a proven disability which renders
20 them nonambulatory and confines them to a wheelchair, as certified
21 by a physician licensed in this state or in any state which borders
22 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).

15 Nonresidents hunting big game, combination big game and upland game
16 or exotic wildlife in a commercial hunting area shall be required to
17 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 Nonresidents hunting big game, combination big game and upland game
22 or exotic wildlife in a commercial hunting area shall be required to
23 have this license;

24 3. Gun hunting license for deer:

- 1 a. during deer gun seasons for youth nonresidents
2 seventeen (17) years of age or younger which shall be
3 valid for hunting one antlerless deer allowed during
4 the current calendar year deer gun seasons - Thirty
5 Dollars (\$30.00),
- 6 b. during deer gun seasons for youth nonresidents
7 seventeen (17) years of age or younger which shall be
8 valid for hunting one antlered or antlerless deer
9 allowed during the current calendar year deer gun
10 seasons - Ninety-nine Dollars (\$99.00), and
- 11 c. during deer gun seasons for nonresidents which shall
12 be valid for hunting all deer allowed during the
13 current calendar year deer gun season - Two Hundred
14 Ninety-nine Dollars (\$299.00);

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

- 19 a. during deer archery seasons for youth nonresidents
20 seventeen (17) years of age or younger which shall be
21 valid for hunting one antlerless deer allowed during
22 the current deer archery seasons - Thirty Dollars
23 (\$30.00),

- b. during deer archery seasons 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 deer archery seasons - Ninety-nine Dollars (\$99.00), and
- c. during deer archery seasons for nonresidents which shall be valid for hunting all deer allowed during the current deer archery season - Two Hundred Ninety-nine Dollars (\$299.00);

5. Primitive firearms hunting license for deer for:

- a. during deer primitive firearms seasons 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 seasons - Thirty Dollars (\$30.00),
- b. during deer primitive firearms seasons 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 seasons - Ninety-nine Dollars (\$99.00), and
- c. during deer primitive firearms seasons 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);

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);

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

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

10. Five-day hunting license for nonresidents hunting winged
upland game, excluding wild turkey, in a commercial hunting area -
Fifteen Dollars (\$15.00).

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

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

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

5 E. Of the fees collected pursuant to the provisions of
6 subsection C of this section:

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

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

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

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

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

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

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

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

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

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

- 23 a. residents with proper certification from the United
24 States Department of Veterans Affairs or its

1 successor, certifying that the person is a disabled
2 veteran in receipt of compensation at the one-hundred-
3 percent rate, and

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

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

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

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

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

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

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

22 The following persons shall be exempt:

23 a. residents with proper certification from the United
24 States Department of Veterans Affairs or its

1 successor, certifying that the person is a disabled
2 veteran in receipt of compensation at the one-hundred-
3 percent rate, and

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

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

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

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

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

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

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

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

6 1. An annual hunting license issued pursuant to paragraph 1, 2,
7 3 or 4 of subsection F of this section;

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

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

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

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

20 I. The provisions of this section shall not be construed to
21 require a hunting license, resident or nonresident, of any person
22 merely because the person participates, as owner or handler of an
23 entry, as an official, or as a spectator in the conduct of a field
24 trial or performance test of dogs, whether a resident or nonresident

1 of the State of Oklahoma. No license to hunt shall be required of
2 any person engaged in training or working dogs, provided that person
3 is in no way engaged in hunting and does not take or attempt to take
4 in any manner any game.

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

- 13 a. for legal residents, Fifty Dollars (\$50.00), and
- 14 b. for nonresidents, One Hundred Forty-five Dollars
15 (\$145.00).

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

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

1 payment of court costs. If proof of a current hunting license
2 issued by the Department to the person that was in force at the time
3 of the alleged offense is presented to the court or district
4 attorney within seventy-two (72) hours after the violation, the
5 charge shall be dismissed without payment of court costs.

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

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

18 SECTION 2. This act shall become effective November 1, 2023.
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