

1 ENGROSSED HOUSE
2 BILL NO. 3997

By: Fetgatter of the House

3 and

4 Bullard of the Senate

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8 An Act relating to game and fish; amending 29 O.S.
9 2021, Section 5-301, as amended by Section 1, Chapter
10 298, O.S.L. 2022 (29 O.S. Supp. 2023, Section 5-301),
11 which relates to the use of cyanide for predator
12 control; removing the restriction on when cyanide may
13 be used as a predator control device; and providing
14 an effective date.

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

16 SECTION 1. AMENDATORY 29 O.S. 2021, Section 5-301, as
17 amended by Section 1, Chapter 298, O.S.L. 2022 (29 O.S. Supp. 2023,
18 Section 5-301), is amended to read as follows:

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

24 1. Signs of a size and character and with wording to be
determined by the Oklahoma Department of Agriculture, Food, and

1 Forestry indicating the presence of cyanide coyote getters or other
2 similar device using cyanide gas or other poisonous gas as the
3 lethal agent, shall be posted on all properties where the coyote
4 getters are set to the right and left of all entrances from public
5 roads and highways and from adjacent lands.

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

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

17 ~~4.~~ 3. A game warden may issue a permit for the setting of such
18 devices and such permit must be obtained prior to the setting of
19 such devices. Each permit shall be made in triplicate, the original
20 to be retained by the landowner concerned, one copy retained by the
21 game warden and the other copy mailed immediately to the Department
22 for its permanent record.

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1 ~~5.~~ 4. In applying for a permit, the landowner shall state the
2 number of devices to be set and the approximate location to the
3 nearest forty (40) acres.

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

7 ~~7.~~ 5. All signs required by this section shall be removed at
8 the end of the permission period, unless the permit is renewed prior
9 to the expiration date thereof.

10 ~~8.~~ 6. No predator control devices shall be on any property
11 without the written permission of the record owner or lessee
12 thereof.

13 B. Predatory control conducted by the Oklahoma Department of
14 Agriculture, Food, and Forestry or the Department of Wildlife
15 Conservation shall be exempt from the provisions of paragraphs ~~4, 5~~
16 ~~and 6~~ 3 and 4 of subsection A of this section.

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

20 D. Any person convicted of violating the provisions of this
21 section shall be punished by a fine not less than Fifty Dollars
22 (\$50.00), or by imprisonment in the county jail for not more than
23 thirty (30) days, or by both such fine and imprisonment.

24 SECTION 2. This act shall become effective November 1, 2024.

1 Passed the House of Representatives the 4th day of March, 2024.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2024.

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Presiding Officer of the Senate