

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 HOUSE BILL 2355

 By: Dempsey

7 AS INTRODUCED

8 An Act relating to game and fish; amending 29 O.S.
9 2021, Sections 4-114, 4-130 and Section 5-213, as
10 amended by Section 1, Chapter 253, O.S.L. 2022 (29
11 O.S. Supp. 2022, Section 5-213), which relate to
12 hunting; providing that holders of certain valid
13 lifetime licenses are exempt from having to purchase
14 certain licenses, stamps, permits, and tags;
15 providing that lifetime hunting and combination
16 lifetime hunting and fishing license holders are
17 exempt from having to purchase a state waterfowl
18 stamp; allowing the use of air bows during all open
19 hunting seasons; and declaring an emergency.

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

21 SECTION 1. AMENDATORY 29 O.S. 2021, Section 4-114, is
22 amended to read as follows:

23 Section 4-114. A. All legal residents who have resided in the
24 state for at least six (6) months and intend to remain residents may
25 purchase lifetime fishing licenses, lifetime hunting licenses or
26 lifetime combination hunting and fishing licenses from the State
27 Wildlife Conservation Director.

B. The fee for these licenses shall be:

1. Lifetime fishing license, Two Hundred Dollars (\$200.00);

2. Lifetime hunting license, Six Hundred Dollars (\$600.00);

3. Lifetime combination hunting and fishing license, Seven
Hundred Fifty Dollars (\$750.00);

4. Senior citizen lifetime hunting license for persons sixty-
five (65) years of age or older, Fifteen Dollars (\$15.00);

5. Senior citizen lifetime fishing license for persons sixty-
five (65) years of age or older, Fifteen Dollars (\$15.00); and

6. Senior citizen lifetime combination hunting and fishing
license for persons sixty-five (65) years of age or older, Twenty-
five Dollars (\$25.00).

C. ~~Legal~~ A legal resident having proper certification from the
United States Department of Veterans Affairs or its successor
certifying that the person is a disabled veteran and registered with
the veterans registry created by the Oklahoma Department of Veterans
Affairs may purchase a disability lifetime combination hunting and
fishing license from the State Wildlife Conservation Director. The
fees for the license shall be as follows:

1. Two Hundred Dollars (\$200.00) for veterans having a
disability of less than sixty percent (60%); and

2. Twenty-five Dollars (\$25.00) for veterans having a
disability of sixty percent (60%) or more.

1 D. The use of the licenses provided in this section are subject
2 to those restrictions provided by statute and the regulations of the
3 Wildlife Conservation Commission. Except as otherwise provided for
4 in this section, each lifetime hunting license issued pursuant to
5 subsections B and C of this section shall be in lieu of all annual
6 hunting licenses, all species specific licenses, including but not
7 limited to deer, elk, antelope, turkey, and bear, Oklahoma waterfowl
8 hunting stamp, wildlife conservation passport, fur license, annual
9 trapping license, controlled hunt permits, all carcass tags, and all
10 special season permits.

11 E. Should any lifetime license be lost or destroyed, a
12 duplicate will be issued by the Department of Wildlife Conservation
13 for a fee of Ten Dollars (\$10.00).

14 F. A lifetime licensee shall not lose the privileges of such
15 license by a subsequent transfer of residency.

16 G. 1. In addition to the fees imposed pursuant to paragraphs 1
17 through 3 of subsection B of this section, a person purchasing a
18 lifetime fishing, hunting or combination license, excluding a senior
19 citizen lifetime hunting, fishing or combination hunting and fishing
20 license issued pursuant to paragraphs 4 through 6 of subsection B of
21 this section and a disability lifetime combination hunting and
22 fishing license issued pursuant to subsection C of this section,
23 shall be required to purchase a Lifetime Oklahoma Wildlife Land
24 Stamp. Each person shall have the stamp in their possession while

1 hunting, fishing, or taking any wildlife. The fee for the Lifetime
2 Oklahoma Wildlife Land Stamp shall be Twenty-five Dollars (\$25.00).
3 The fee for the stamp shall be distributed as follows:

4 a. Twenty Dollars (\$20.00) from each stamp shall be
5 deposited in the Oklahoma Wildlife Land Fund, created
6 in Section 4-141 of this title, to be used to retire
7 the obligations and related expenses as authorized
8 pursuant to Section 168.9 of Title 73 of the Oklahoma
9 Statutes or to purchase, lease, or purchase easements
10 on real property to be used as public hunting,
11 fishing, and trapping areas, and

12 b. Five Dollars (\$5.00) from each stamp shall be
13 deposited in the Oklahoma Wildlife Land Fund, created
14 in Section 4-141 of this title, to be used by the
15 Commission for management of the real property
16 acquired pursuant to Section 168.9 of Title 73 of the
17 Oklahoma Statutes or acquired with proceeds from the
18 Oklahoma Wildlife Land Stamp fee.

19 2. The Oklahoma Wildlife Conservation Commission shall
20 prescribe, by rule, the form, design, and manner of issuance of the
21 Lifetime Oklahoma Wildlife Land Stamp.

22 3. Within one (1) year of the final retirement, redemption, or
23 defeasance of the obligations created pursuant to Section 168.9 of
24 Title 73 of the Oklahoma Statutes, the Lifetime Oklahoma Wildlife

1 Land Stamp and Lifetime Oklahoma Wildlife Land Stamp fee
2 requirements provided for in this subsection shall terminate.

3 H. A person who is sixty-four (64) years of age shall be
4 eligible to purchase a senior citizen lifetime license issued
5 pursuant to paragraphs 4 through 6 of subsection B of this section
6 during the calendar year in which the person turns sixty-five (65)
7 years of age.

8 I. The fee for a lifetime fishing license, a lifetime hunting
9 license, or a lifetime combination hunting and fishing license
10 issued pursuant to paragraphs 1 through 3 of subsection B of this
11 section for a legal resident under eighteen (18) years of age may be
12 paid for by installments not to exceed a three-year period of time
13 and in a manner determined by the Director. The lifetime license
14 shall not be issued and become valid until full payment is received
15 by the Department of Wildlife Conservation. If the entire amount of
16 the license fee is not received within three (3) years from the date
17 the application for installment payments is submitted to the
18 Department, all funds received shall be forfeited and shall not be
19 refunded.

20 J. The Oklahoma Wildlife Conservation Commission shall
21 promulgate any rules necessary to implement the provisions of this
22 section.

23 SECTION 2. AMENDATORY 29 O.S. 2021, Section 4-130, is
24 amended to read as follows:

1 Section 4-130. A. Except as otherwise provided in the Oklahoma
2 Wildlife Conservation Code, no person may hunt or take any waterfowl
3 during the open season on waterfowl unless the person has first
4 obtained an Oklahoma waterfowl hunting stamp or license from the
5 Director or authorized agents of the Director. Each person shall
6 have the stamp or license in their possession when hunting or taking
7 any waterfowl. When a stamp is purchased, the stamp shall be
8 validated by the signature of the licensee written across the face
9 of the stamp.

10 B. Persons excepted from the Oklahoma waterfowl hunting stamp
11 or license requirement of this section are:

12 1. Legal residents of Oklahoma under sixteen (16) years of age;
13 and

14 2. Legal residents of Oklahoma who have a valid lifetime
15 hunting, or combination lifetime hunting and fishing license;

16 3. Legal residents of Oklahoma who have a valid senior citizen
17 lifetime hunting or senior citizen lifetime combination hunting and
18 fishing license; and

19 4. Legal residents of Oklahoma sixty-five (65) years of age or
20 older.

21 C. 1. The Oklahoma waterfowl hunting stamp fee and waterfowl
22 license shall each be Nine Dollars (\$9.00). The remainder of the
23 fee shall be deposited in the Wildlife Conservation Fund, to be used
24 exclusively in the State of Oklahoma, for the purpose of developing,

1 managing, preserving, restoring and maintaining wetland habitats and
2 for the conservation and management of waterfowl and ecologically
3 related species.

4 2. The collection and remittance procedures applicable to
5 hunting license fees under this title shall apply to waterfowl stamp
6 or license fees.

7 3. The waterfowl stamp or license issued pursuant to this
8 section shall expire on June 30 of each year.

9 D. The Oklahoma Wildlife Conservation Commission may prescribe,
10 by regulation, the form, design and manner of issuance, if any, of
11 the waterfowl stamp, which could include the selection of art for
12 such stamp from an art contest regulated by the Commission.

13 E. 1. Any person arrested for hunting or taking any waterfowl
14 during the open season on waterfowl without a valid Oklahoma
15 waterfowl hunting stamp or license as required by the provisions of
16 subsection A of this section may purchase a ~~substitute~~ temporary
17 thirty-day stamp or license from the arresting game warden in lieu
18 of posting bond. Proof of hunter safety certification shall not be
19 required for the temporary substitute stamp or license. The fee for
20 a substitute stamp or license purchased pursuant to the provisions
21 of this subsection shall be:

- 22 a. for legal residents - Fifty Dollars (\$50.00), and
- 23 b. for nonresidents - One Hundred Forty-five Dollars
24 (\$145.00).

1 2. The fees from the temporary stamp and license purchased
2 pursuant to the provisions of this subsection shall be deposited in
3 the Wildlife Conservation Fund, to be used exclusively in the State
4 of Oklahoma, for the purpose of developing, managing, preserving,
5 restoring and maintaining wetland habitats and for the conservation
6 and management of waterfowl and ecologically related species.

7 F. Any person convicted of violating any of the provisions of
8 this section shall be punished by a fine of not less than Twenty-
9 five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00).

10 G. Nothing in this title shall prohibit a person from hunting
11 waterfowl exclusively on their own property without an Oklahoma
12 waterfowl hunting stamp or license.

13 SECTION 3. AMENDATORY 29 O.S. 2021, Section 5-213, as
14 amended by Section 1, Chapter 253, O.S.L. 2022 (29 O.S. Supp. 2022,
15 Section 5-213), is amended to read as follows:

16 Section 5-213. A. The use of crossbows and conventional
17 longbows with a device that permits the bow to be held mechanically
18 at full or partial draw, shall be a legal hunting method during any
19 open season when conventional longbows are a legal means of take.

20 B. The use of air bows shall be a legal hunting method during
21 any open season ~~when rifles are a legal means of take.~~ No person
22 may hunt or take during the open season with an air bow unless the
23 person has first obtained a stamp issued by the Oklahoma Wildlife
24

1 Conservation Commission for a one-time fee of Twenty Dollars
2 (\$20.00).

3 C. At such time as the Federal Aid in Wildlife Restoration Act
4 is amended to expand the excise tax on sporting arms and ammunition
5 to include air bows and air guns, the stamp pursuant to subsection B
6 of this section shall no longer be required, and authorization for
7 the continual use of air bows as a legal means of take shall be
8 established by rules promulgated by the Commission.

9 SECTION 4. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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14 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 02/23/2023 - DO
15 PASS.

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