

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2868

By: Wallace of the House

and

7 **Green** of the Senate

8
9
10 COMMITTEE SUBSTITUTE

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

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

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

20 A. Except as otherwise provided for in the Oklahoma Wildlife
21 Conservation Code or the Oklahoma Farmed Cervidae Act, no person may
22 hunt, pursue, trap, harass, catch, kill, take or attempt to take in
23 any manner, use, have in possession, sell, or transport all or any
24 portion of any wildlife except fish, without having first procured a

1 license from the Department of Wildlife Conservation. The Wildlife
2 Conservation Commission shall designate a consecutive Saturday and
3 Sunday in September of each year as free hunting days in which
4 residents of this state may hunt without first procuring a hunting
5 license pursuant to the provisions of this section.

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

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

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

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

17 4. Legal resident veterans having a disability of sixty percent
18 (60%) or more;

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

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

22 7. Legal residents having a proven disability which renders
23 them nonambulatory and confines them to a wheelchair, as certified
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1 by a physician licensed in this state or in any state which borders
2 this state;

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

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

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

14 1. Annual hunting license for nonresidents hunting game other
15 than deer, antelope, elk or bear which expires on December 31 of the
16 year purchased - One Hundred Forty-one Dollars (\$141.00).
17 Nonresidents hunting big game, combination big game and upland game
18 or exotic wildlife in a commercial hunting area shall be required to
19 have this license;

20 2. Annual hunting license for nonresidents hunting game other
21 than deer, antelope, elk or bear which expires on June 30 of the
22 fiscal year purchased - One Hundred Seventy-five Dollars (\$175.00).
23 Nonresidents hunting big game, combination big game and upland game
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1 or exotic wildlife in a commercial hunting area shall be required to
2 have this license;

3 3. Gun hunting license for deer:

4 a. during deer gun seasons for youth nonresidents
5 seventeen (17) years of age or younger which shall be
6 valid for hunting one antlerless deer allowed during
7 the current calendar year deer gun seasons - Thirty
8 Dollars (\$30.00),

9 b. during deer gun seasons for youth nonresidents
10 seventeen (17) years of age or younger which shall be
11 valid for hunting one antlered or antlerless deer
12 allowed during the current calendar year deer gun
13 seasons - Ninety-nine Dollars (\$99.00), and

14 c. during deer gun seasons for nonresidents which shall
15 be valid for hunting all deer allowed during the
16 current calendar year deer gun season - Two Hundred
17 Ninety-nine Dollars (\$299.00);

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

22 a. during deer archery seasons for youth nonresidents
23 seventeen (17) years of age or younger which shall be
24 valid for hunting one antlerless deer allowed during

1 the current deer archery seasons - Thirty Dollars
2 (\$30.00),

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

12 5. Primitive firearms hunting license for deer for:

- 13 a. during deer primitive firearms seasons for youth
14 nonresidents seventeen (17) years of age or younger
15 which shall be valid for hunting one antlerless deer
16 allowed during the current calendar year deer
17 primitive firearms seasons - Thirty Dollars (\$30.00),
- 18 b. during deer primitive firearms seasons for youth
19 nonresidents seventeen (17) years of age or younger
20 which shall be valid for hunting one antlered or
21 antlerless deer allowed during the current calendar
22 year deer primitive firearms seasons - Ninety-nine
23 Dollars (\$99.00), and
- 24

1 c. during deer primitive firearms seasons for
2 nonresidents which shall be valid for hunting all deer
3 allowed during the current calendar year deer
4 primitive firearms season - Two Hundred Ninety-nine
5 Dollars (\$299.00);

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

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

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

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

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

20 D. The Department of Wildlife Conservation shall provide a
21 report to both the President Pro Tempore of the Senate and the
22 Speaker of the House of Representatives by February 1 of 2019 and
23 2020 setting forth information regarding licenses issued pursuant to
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1 paragraphs 3, 4 and 5 of subsection C of this section, which shall
2 include, but not be limited to:

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

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

9 E. Of the fees collected pursuant to the provisions of
10 subsection C of this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 The following persons shall be exempt:

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

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

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

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

19 14. Hunting license for antelope for residents - Fifty Dollars
20 (\$50.00). Residents hunting in big game or combination big game and
21 upland game commercial hunting areas shall be exempt from this
22 license; and
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1 15. Bonus, special or additional gun hunting license for deer
2 for residents - Nineteen Dollars (\$19.00). The following persons
3 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

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

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

14 1. An annual hunting license issued pursuant to paragraph 1, 2,
15 3 or 4 of subsection F of this section;

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

18 3. A five-year hunting license or five-year combination hunting
19 and fishing license issued pursuant to Section 4-113.1 of this
20 title; or

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

23 H. Of the fees collected pursuant to the provisions of
24 paragraphs 1 and 2 of subsection F of this section, Five Dollars

1 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
2 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
3 created pursuant to the provisions of Section 4-141 of this title.

4 I. The provisions of this section shall not be construed to
5 require a hunting license, resident or nonresident, of any person
6 merely because the person participates, as owner or handler of an
7 entry, as an official, or as a spectator in the conduct of a field
8 trial or performance test of dogs, whether a resident or nonresident
9 of the State of Oklahoma. No license to hunt shall be required of
10 any person engaged in training or working dogs, provided that person
11 is in no way engaged in hunting and does not take or attempt to take
12 in any manner any game.

13 J. 1. Any person arrested for hunting game other than deer,
14 antelope, elk, bear or turkey without a valid hunting license as
15 required by the provisions of subsection A of this section may
16 purchase a substitute temporary thirty-day license from the
17 arresting game warden in lieu of posting bond. Proof of hunter
18 safety certification will not be required for the temporary
19 substitute license. The fee for a substitute license purchased
20 pursuant to the provisions of this subsection shall be:

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

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

6 K. Any person producing proof in court that a current hunting
7 license issued by the Department of Wildlife Conservation to that
8 person was in force at the time of the alleged offense shall be
9 entitled to dismissal of a charge of violating this section upon
10 payment of court costs. If proof of a current hunting license
11 issued by the Department to the person that was in force at the time
12 of the alleged offense is presented to the court or district
13 attorney within seventy-two (72) hours after the violation, the
14 charge shall be dismissed without payment of court costs.

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

21 M. Unless a substitute license is purchased as provided for by
22 subsection J of this section, any nonresident convicted of violating
23 the provisions of this section shall be punished by the imposition
24 of a fine of not less than Two Hundred Dollars (\$200.00) nor more

1 than Five Hundred Dollars (\$500.00), or by imprisonment in the
2 county jail for a period not to exceed six (6) months, or by both.

3 SECTION 2. This act shall become effective November 1, 2023.
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5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
6 02/20/2023 - DO PASS, As Amended and Coauthored.
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