

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 ENGROSSED SENATE
5 BILL NO. 922

By: Stephens of the Senate

and

Cornwell of the House

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9 An Act to conditions of fish and wildlife; amending
10 29 O.S. 2021, Section 5-401, which relates to the
11 Oklahoma Wildlife Conservation Commission; requiring
12 a certain number of tags to be issued to Oklahoma
13 residents; updating statutory language; 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 5-401, is
17 amended to read as follows:

18 Section 5-401. A. The Oklahoma Wildlife Conservation
19 Commission is authorized to declare an open season on wildlife in
20 any counties or parts of counties of this state where, in the
21 judgment of the Commission, such wildlife exists in sufficient
22 quantity to warrant such open season, and such open season shall be
23 declared by Commission resolution not less than ten (10) days before
24 the season is opened.

1 B. The Commission may designate any two (2) consecutive days
2 after the open season declared for hunting deer to be senior
3 citizen's hunting days. During those two (2) days only legal
4 residents of ~~Oklahoma~~ this state who are sixty-four (64) years of
5 age or older may hunt deer provided the person has a valid license
6 as otherwise provided by law.

7 C. The Commission is further authorized to declare an open
8 season on mountain lions and black bears.

9 D. Except as provided in subsection E of this section, the
10 Commission is further authorized to prescribe rules necessary to the
11 proper conduct and policing of such open season, the amount and kind
12 of wildlife that may be taken, and the dates and time limits of such
13 season.

14 E. Any bowfishing season set for nongame fish by the Commission
15 for the Upper Illinois River shall include the following:

16 1. Upstream from the Horseshoe Bend boat ramp to where State
17 Highway 51 crosses the Illinois River, bowfishing is permitted from
18 June 1 to March 31; and

19 2. Upstream from where State Highway 51 crosses the Illinois
20 River, bowfishing is permitted from December 1 through March 31.

21 F. The Commission is further authorized to require any person
22 participating in such open season or hunting in open areas during
23 open season to procure, under rules prescribed by the Commission, a
24 special permit or license to participate in such season or hunt in

1 such areas during open season and to charge residents not to exceed
2 Twenty Dollars (\$20.00), nonresidents not to exceed Seventy-five
3 Dollars (\$75.00) and further providing that Five Dollars (\$5.00) of
4 this fee shall be set aside for compensation to Oklahoma surface
5 holders participating in the Acres for Wildlife Program at a rate to
6 be determined by the Oklahoma Wildlife Conservation Commission. No
7 exemptions shall be permitted.

8 G. Open seasons, closed seasons, bag limits, catch limits,
9 possession limits and territorial limitations set forth in the
10 statutes of this state, pertaining to wildlife of every sort, are
11 hereby declared to be based on the existence of a normal population
12 of such species of wildlife, compatible with and not damaging to the
13 proper agricultural use of the lands of the state.

14 H. Such seasons, catch limits, bag limits, possession limits
15 and territorial limitations as set by statute shall prevail and be
16 in full force and effect for each and every species of wildlife to
17 which they pertain so long as the population or numbers of such
18 wildlife species remain normal or are not damaging or endangering
19 crops or proper agricultural use of the lands of the state.

20 I. For seasons governed by a mechanism employed by the
21 Commission to limit the number of tags issued for specific game in
22 this state, at least ninety percent (90%) of the total number of
23 issued tags shall go to residents of this state each year.
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1 J. The Commission in session, and after having given ten (10)
2 days' public notice of such meeting being called and the purpose of
3 such meeting, the species of wildlife to be considered and the
4 reasons therefor, shall have the right to determine if there does or
5 does not exist a normal population of the wildlife species under
6 consideration, which does or does not endanger the crops of the
7 state or of any certain areas, or the agricultural use of the lands
8 therein. In the event the consideration is other than statewide,
9 the Commission shall meet at the most convenient place to the people
10 of the area in the area being considered. All meetings shall be
11 open to the public and proper records of those appearing and
12 testifying shall be made. If the Commission, after hearing and
13 after investigation, finds that the populations of the wildlife
14 species under hearing are not normal or that they are not compatible
15 to the agricultural use of the lands or are damaging or endangering
16 the farm crops of the area, they shall, by administrative order,
17 make the necessary changes by either extending, shortening, opening
18 or closing such seasons, and change such bag limits, catch limits
19 and possession limits, and regulate methods or devices for taking,
20 killing or capturing of the wildlife species affected in any area or
21 areas covered by the notice of meeting and hearing, except as
22 otherwise set by the Legislature.

23 ~~J.~~ K. Such administrative order shall take effect after
24 publication in at least one newspaper of general state circulation,

1 or in a newspaper having circulation in the territory affected. A
2 copy of all such orders shall, before publication, be filed with the
3 Secretary of State, and such order shall not be construed as
4 authorizing the Commission to change any penalty for violating any
5 game law or regulation or change the amount of any license
6 established by the Legislature.

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

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9 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 04/13/2023 - DO
10 PASS.

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