

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 922

By: Stephens

AS INTRODUCED

An Act to conditions of fish and wildlife; creating the Oklahoma Hunters First Act; providing short title; amending 29 O.S. 2021, Section 5-401, which relates to the Wildlife Conservation Commission; requiring a certain number of tags to be issued to Oklahoma residents; providing for noncodification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Oklahoma Hunters First Act".

SECTION 2. AMENDATORY 29 O.S. 2021, Section 5-401, is amended to read as follows:

Section 5-401. A. The Wildlife Conservation Commission is authorized to declare an open season on wildlife in any counties or parts of counties of this state where, in the judgment of the Commission, such wildlife exists in sufficient quantity to warrant such open season, and such open season shall be declared by

1 Commission resolution not less than ten (10) days before the season  
2 is opened.

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

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

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

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

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

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

23 F. The Commission is further authorized to require any person  
24 participating in such open season or hunting in open areas during  
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1 open season to procure, under rules prescribed by the Commission, a  
2 special permit or license to participate in such season or hunt in  
3 such areas during open season and to charge residents not to exceed  
4 Twenty Dollars (\$20.00), nonresidents not to exceed Seventy-five  
5 Dollars (\$75.00) and further providing that Five Dollars (\$5.00) of  
6 this fee shall be set aside for compensation to Oklahoma surface  
7 holders participating in the Acres for Wildlife Program at a rate to  
8 be determined by the Wildlife Conservation Commission. No  
9 exemptions shall be permitted.

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

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

22 I. For seasons governed by a mechanism employed by the  
23 Commission to limit the number of tags issued for specific game in  
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1 Oklahoma, ninety-five percent (95%) of the total number of issued  
2 tags shall go to Oklahoma residents each year.

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

1       ~~J.~~ K. Such administrative order shall take effect after  
2 publication in at least one newspaper of general state circulation,  
3 or in a newspaper having circulation in the territory affected. A  
4 copy of all such orders shall, before publication, be filed with the  
5 Secretary of State, and such order shall not be construed as  
6 authorizing the Commission to change any penalty for violating any  
7 game law or regulation or change the amount of any license  
8 established by the Legislature.

9       SECTION 3. This act shall become effective November 1, 2023.

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