

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1857

By: Hamilton

AS INTRODUCED

An Act relating to wildlife; amending 29 O.S. 2021, Section 4-112, as last amended by Section 1, Chapter 96, O.S.L. 2023 (29 O.S. Supp. 2023, Section 4-112), which relates to hunting license; raising fees for certain license; amending 29 O.S. 2021, Section 5-401, which relates to Oklahoma Wildlife Conservation Commission powers regarding seasons and bag limits; authorizing the Commission to limit certain limits for nonresidents; and providing an effective date.

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

SECTION 1. AMENDATORY 29 O.S. 2021, Section 4-112, as last amended by Section 1, Chapter 96, O.S.L. 2023 (29 O.S. Supp. 2023, Section 4-112), is amended to read as follows:

Section 4-112. A. Except as otherwise provided for in the Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae Act, no person may hunt, pursue, trap, harass, catch, kill, take or attempt to take in any manner, use, have in possession, sell, or transport all or any portion of any wildlife except fish, without having first procured a license from the Department of Wildlife Conservation. The Wildlife Conservation Commission shall designate a consecutive Saturday and Sunday in September of each year as free

1 hunting days in which residents of this state may hunt without first
2 procuring a hunting license pursuant to the provisions of this
3 section.

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

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

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

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

15 4. Legal resident veterans having a disability of sixty percent
16 (60%) or more;

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

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

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

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

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

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

12 1. Annual hunting license for nonresidents hunting game other
13 than deer, antelope, elk or bear which expires on December 31 of the
14 year purchased - ~~One Hundred Forty-one Dollars (\$141.00)~~ Two Hundred
15 Eighty-two Dollars (\$282.00). Nonresidents hunting big game,
16 combination big game and upland game or exotic wildlife in a
17 commercial hunting area shall be required to have this license;

18 2. Annual hunting license for nonresidents hunting game other
19 than deer, antelope, elk or bear which expires on June 30 of the
20 fiscal year purchased - ~~One Hundred Seventy-five Dollars (\$175.00)~~
21 Three Hundred Fifty Dollars (\$350.00). Nonresidents hunting big
22 game, combination big game and upland game or exotic wildlife in a
23 commercial hunting area shall be required to have this license;

24 3. Gun hunting license for deer:
25

- 1 a. during deer gun seasons for youth nonresidents
2 seventeen (17) years of age or younger which shall be
3 valid for hunting one antlerless deer allowed during
4 the current calendar year deer gun seasons - ~~Thirty~~
5 ~~Dollars (\$30.00)~~ Sixty Dollars (\$60.00),
- 6 b. during deer gun seasons for youth nonresidents
7 seventeen (17) years of age or younger which shall be
8 valid for hunting one antlered or antlerless deer
9 allowed during the current calendar year deer gun
10 seasons - ~~Ninety-nine Dollars (\$99.00)~~ Two Hundred
11 Dollars (\$200.00), and
- 12 c. during deer gun seasons for nonresidents which shall
13 be valid for hunting all deer allowed during the
14 current calendar year deer gun season - ~~Two Hundred~~
15 ~~Ninety-nine Dollars (\$299.00)~~ Six Hundred Dollars
16 (\$600.00);

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

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

1 the current deer archery seasons - ~~Thirty Dollars~~
2 ~~(\$30.00)~~ Sixty Dollars (\$60.00),

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)~~ Two Hundred Dollars
8 (\$200.00), and

9 c. during deer archery seasons for nonresidents which
10 shall be valid for hunting all deer allowed during the
11 current deer archery season - ~~Two Hundred Ninety-nine~~
12 ~~Dollars (\$299.00)~~ Six Hundred Dollars (\$600.00);

13 5. Primitive firearms hunting license for deer for:

14 a. during deer primitive firearms seasons for youth
15 nonresidents seventeen (17) years of age or younger
16 which shall be valid for hunting one antlerless deer
17 allowed during the current calendar year deer
18 primitive firearms seasons - ~~Thirty Dollars (\$30.00)~~
19 Sixty Dollars (\$60.00),

20 b. during deer primitive firearms seasons for youth
21 nonresidents seventeen (17) years of age or younger
22 which shall be valid for hunting one antlered or
23 antlerless deer allowed during the current calendar
24

1 year deer primitive firearms seasons - ~~Ninety-nine~~
2 ~~Dollars (\$99.00)~~ Two Hundred Dollars (\$200.00), and

3 c. during deer primitive firearms seasons for
4 nonresidents which shall be valid for hunting all deer
5 allowed during the current calendar year deer
6 primitive firearms season - ~~Two Hundred Ninety-nine~~
7 ~~Dollars (\$299.00)~~ Six Hundred Dollars (\$600.00);

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

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

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

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

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

22 D. The Department of Wildlife Conservation shall provide a
23 report to both the President Pro Tempore of the Senate and the
24 Speaker of the House of Representatives by February 1 of 2019 and

1 2020 setting forth information regarding licenses issued pursuant to
2 paragraphs 3, 4 and 5 of subsection C of this section, which shall
3 include, but not be limited to:

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

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

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

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

19 2. Five Dollars (\$5.00) of the license fee for each license
20 issued pursuant to paragraphs 1 through 8 of subsection C of this
21 section shall be for the Oklahoma Wildlife Land Stamp and shall be
22 deposited in the Oklahoma Wildlife Land Fund created pursuant to the
23 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
24

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

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

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

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

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

20 D. Except as provided in subsection E of this section, the
21 Commission is further authorized to prescribe rules necessary to the
22 proper conduct and policing of such open season, the amount and kind
23 of wildlife that may be taken, and the dates and time limits of such
24 season.

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

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

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

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

19 G. Open seasons, closed seasons, bag limits, catch limits,
20 possession limits and territorial limitations set forth in the
21 statutes of this state, pertaining to wildlife of every sort, are
22 hereby declared to be based on the existence of a normal population
23 of such species of wildlife, compatible with and not damaging to the
24 proper agricultural use of the lands of the state; provided, that

1 the bag limits set by the Commission for nonresident hunters shall
2 not exceed more than half of the limit established for resident
3 hunters.

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

10 I. The Commission in session, and after having given ten (10)
11 days' public notice of such meeting being called and the purpose of
12 such meeting, the species of wildlife to be considered and the
13 reasons therefor, shall have the right to determine if there does or
14 does not exist a normal population of the wildlife species under
15 consideration, which does or does not endanger the crops of the
16 state or of any certain areas, or the agricultural use of the lands
17 therein. In the event the consideration is other than statewide,
18 the Commission shall meet at the most convenient place to the people
19 of the area in the area being considered. All meetings shall be
20 open to the public and proper records of those appearing and
21 testifying shall be made. If the Commission, after hearing and
22 after investigation, finds that the populations of the wildlife
23 species under hearing are not normal or that they are not compatible
24 to the agricultural use of the lands or are damaging or endangering

1 the farm crops of the area, they shall, by administrative order,
2 make the necessary changes by either extending, shortening, opening
3 or closing such seasons, and change such bag limits, catch limits
4 and possession limits, and regulate methods or devices for taking,
5 killing or capturing of the wildlife species affected in any area or
6 areas covered by the notice of meeting and hearing, except as
7 otherwise set by the Legislature.

8 J. Such administrative order shall take effect after
9 publication in at least one newspaper of general state circulation,
10 or in a newspaper having circulation in the territory affected. A
11 copy of all such orders shall, before publication, be filed with the
12 Secretary of State, and such order shall not be construed as
13 authorizing the Commission to change any penalty for violating any
14 game law or regulation or change the amount of any license
15 established by the Legislature.

16 SECTION 3. This act shall become effective November 1, 2024.

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