

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 648

By: Bergstrom

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5
6 AS INTRODUCED

7 An Act relating to feral swine; amending 2 O.S. 2021,
8 Section 6-604, which relates to removal of feral
9 swine; requiring permit for use on public property;
10 amending 29 O.S. 2021, Section 4-135, as amended by
11 Section 1, Chapter 171, O.S.L. 2022 (29 O.S. Supp.
12 2022, Section 4-135), which relates to permits to
13 control nuisance or damage by wildlife; removing
14 provision for night hunting and requirement to prove
15 certain exemption; and providing an effective date.

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

17 SECTION 1. AMENDATORY 2 O.S. 2021, Section 6-604, is
18 amended to read as follows:

19 Section 6-604. A. Except as otherwise specified in the Feral
20 Swine Control Act, any person with permission of the owner may
21 remove feral swine from private or public property during daylight
22 hours.

23 B. Any person who intends to kill or attempt to kill feral
24 swine at night on public property shall obtain a permit issued by
the Department of Wildlife Conservation pursuant to Section 4-135 of
Title 29 of the Oklahoma Statutes and promulgated rules.

1 SECTION 2. AMENDATORY 29 O.S. 2021, Section 4-135, as
2 amended by Section 1, Chapter 171, O.S.L. 2022 (29 O.S. Supp. 2022,
3 Section 4-135), is amended to read as follows:

4 Section 4-135. A. The Department of Wildlife Conservation is
5 authorized to issue permits to landowners, agricultural lessees, or
6 their designated agents with written permission of the landowner or
7 agricultural lessee and to any entity of state, county, or local
8 government to control nuisance or damage by any species of wildlife
9 including, but not limited to, beaver, coyote, deer, bobcat, raccoon
10 and crow under rules promulgated by the Oklahoma Wildlife
11 Conservation Commission. The permits may be issued without
12 limitation by statewide season regulations, bag limits or methods of
13 taking. A permitted landowner, agricultural lessee or a designated
14 agent with written permission of the landowner or agricultural
15 lessee may, with a valid permit issued pursuant to this section,
16 control the wildlife specified in this subsection ~~and feral swine~~ at
17 night to protect marketable agricultural crops, livestock or
18 processed feed, seed or other materials used in the production of an
19 agricultural commodity.

20 B. Except as otherwise specified in this subsection, the permit
21 to hunt at night shall be valid for a period of up to one (1) year
22 from the date the permit was issued. ~~Landowners or agricultural~~
23 ~~lessees with a valid permit shall be required to have a current~~
24 ~~agricultural exemption permit issued by the Oklahoma Tax Commission.~~

1 C. Notwithstanding the provisions of Section 5-203.1 of this
2 title, a landowner, agricultural lessee, or designated agent with
3 written permission of the landowner and with a valid permit may use
4 a headlight carried on the person while hunting at night. Nothing
5 in this section shall authorize the use of a headlight mounted on a
6 vehicle or the use of a headlight from a public roadway.

7 D. Any person who has been convicted of, or pled guilty to, a
8 violation of Section 5-203.1 or Section 5-411 of this title within
9 the previous three (3) years shall not be eligible to receive a
10 permit pursuant to this section. The permit can be issued by the
11 local game warden in the county for which the permit is to be used
12 or by the Law Enforcement Division of the Department of Wildlife
13 Conservation.

14 E. It shall be lawful for any private landowner or designated
15 employee of the landowner or lessee to have a chamber-loaded firearm
16 on property owned by the landowner, and to use the firearm for the
17 purpose of controlling nuisance or damage by any wildlife or feral
18 swine. Nothing in this section shall authorize any convicted felon
19 to carry a firearm.

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