

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 4128

6 By: Fetgatter

7 COMMITTEE SUBSTITUTE

8 An Act relating to game and fish; amending 29 O.S.
9 2021, Section 5-401, which relates to seasons and
10 rules; amending the Wildlife Conservation
11 Commission's authority; determining a certain
12 earliest start date; and providing an effective date.

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

14 SECTION 1. AMENDATORY 29 O.S. 2021, Section 5-401, is
15 amended to read as follows:

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

23 B. The Commission may designate any two (2) consecutive days
24 after the open season declared for hunting deer to be senior

1 citizen's hunting days. During those two (2) days only legal
2 residents of Oklahoma who are sixty-four (64) years of age or older
3 may hunt deer provided the person has a valid license as otherwise
4 provided by law.

5 C. The Commission is further authorized to declare an open
6 season on mountain lions and black bears; provided, such season for
7 bear shall include a muzzleloader period to run concurrent with
8 muzzleloader deer season, and an archery period starting no later
9 than September 15 of each year running through deer muzzleloading
10 season.

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

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. The Commission in session, and after having given ten (10)
23 days' public notice of such meeting being called and the purpose of
24 such meeting, the species of wildlife to be considered and the

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

20 J. Such administrative order shall take effect after
21 publication in at least one newspaper of general state circulation,
22 or in a newspaper having circulation in the territory affected. A
23 copy of all such orders shall, before publication, be filed with the
24 Secretary of State, and such order shall not be construed as

1 authorizing the Commission to change any penalty for violating any
2 game law or regulation or change the amount of any license
3 established by the Legislature.

4 SECTION 2. This act shall become effective November 1, 2026.

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