

1 ENGROSSED SENATE
2 BILL NO. 777

By: Jett of the Senate

3 and

4 West (Rick) of the House

5
6 An Act relating to wildlife; amending 2 O.S. 2021,
7 Section 6-313, which relates to commingling with wild
8 aquatic species; prohibiting certain sales; allowing
9 certain harvest under certain conditions; authorizing
10 the Department of Wildlife Conservation to manage
11 certain conditions for certain possession; allowing
12 the Department to manage certain transactions;
13 providing for promulgation of rules; allowing the
14 Oklahoma Department of Agriculture, Food, and
15 Forestry to assess certain import fees under certain
16 circumstances; requiring each shipment to possess
17 certain certificate; amending 29 O.S. 2021, Section
18 2-115, which relates to definition of game fish;
19 expanding definition; and providing an effective
20 date.

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

22 SECTION 1. AMENDATORY 2 O.S. 2021, Section 6-313, is
23 amended to read as follows:

24 Section 6-313. A. All catfish, minnows, fingerlings, fish,
frogs, and other aquatic species which are legally produced,
pursuant to the provisions of ~~this act~~ Sections 6-311 through 6-317
of this title, shall be confined to the lands and waters of the
licensee in such a manner so as to prohibit:

1. Contact with wild fish or other aquatic species in public
waters; and

1 2. Such wild fish or other aquatic species ~~in~~ from being
2 commercially harvested from public waters from and becoming a part
3 of the commercial production sold as a wild-born commodity. As used
4 in this paragraph, "wild-born" means wild fish or aquatic species
5 born in public waters and not introduced through aquaculture.

6 B. 1. Except as otherwise provided by this subsection, the
7 Oklahoma Department of Agriculture, Food, and Forestry shall not
8 restrict the manner in which persons, licensed pursuant to ~~this act~~
9 Sections 6-311 through 6-317 of this title, gather or impound
10 aquatic species raised within the impoundments in their commercial
11 operations.

12 2. No person shall sell or attempt to sell game fish and/or
13 paddlefish obtained from public waters that have been commingled
14 with privately produced fish subject to the provisions of ~~this act~~
15 Sections 6-311 through 6-317 of this title regarding the capture of
16 wild fish or aquatic species for direct sale. A licensed producer
17 may collect both game fish and nongame fish broodstock from public
18 waters using any legal means of take for use in propagation of fish
19 only in a recirculating aquaculture system up to, but not exceeding,
20 the normal possession limit for a person holding a recreational
21 fishing license; provided, that the licensed producer complies with
22 all applicable terms set forth by the Department of Wildlife
23 Conservation. Additionally, such individual broodstock may not be
24 sold and cannot be released back into the wild. Production of fish

1 species considered to be species of special concern, excluding
2 paddlefish (polyodon spathula), along with species prohibited under
3 agency rules and federal threatened and endangered species, is
4 prohibited.

5 ~~C. No licensee may receive, free of charge, any catfish,~~
6 ~~minnow, fingerling, fish, frog or other aquatic species from the~~
7 ~~state or federal government~~ Meat and any other finished products for
8 human consumption that result from fish spawned in a captive system
9 may be sold in this state or out of state; provided, that the
10 producer or seller obtains the necessary export permits. Live fish
11 of such propagations may also be sold subject to certain
12 restrictions as set forth by rule by the Department.

13 D. The Department may establish a process to facilitate
14 broodstock transactions between the state and licensed in-state
15 aquatic propagators. The Department is authorized to assess a fee
16 necessary to maintain such process and the oversight required for
17 broodstock transactions. Fees imposed shall be reasonable,
18 accessible, and transparent, with clearly defined application
19 requirements, publicly available guidance, and established timelines
20 for application review and approval. The Department may promulgate
21 all rules necessary for the implementation of this subsection.

22 E. The Oklahoma Department of Agriculture, Food, and Forestry
23 may assess import fees for any entity selling live fish within this
24 state that does not possess a valid license for commercial

1 production of aquatic species issued by the Oklahoma Department of
2 Agriculture, Food, and Forestry along with an Oklahoma address
3 subject to regular inspections. Fees shall reflect the costs in-
4 state producers are subjected to when exporting to other states.
5 Each shipment shall include a valid Animal and Plant Health
6 Inspection Service health certificate.

7 SECTION 2. AMENDATORY 29 O.S. 2021, Section 2-115, is
8 amended to read as follows:

9 Section 2-115. "Game fish" is a fish normally sought after by
10 sportsmen, and includes only largemouth bass, smallmouth bass, white
11 bass, spotted bass, black crappie, white crappie, northern pike,
12 trout, sauger, saugeye, striped bass, hybrid striped bass, walleye,
13 blue catfish and channel catfish. Blue catfish and channel catfish
14 are herein defined to mean "forked tail" catfish.

15 SECTION 3. This act shall become effective November 1, 2025.
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1 Passed the Senate the 27th day of March, 2025.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2025.

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9 Presiding Officer of the House
10 of Representatives