

An Act

ENROLLED SENATE
BILL NO. 777

By: Jett of the Senate

and

West (Rick) of the House

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

SUBJECT: Wildlife

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

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

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

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

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

2. No person shall sell or attempt to sell game fish and/or paddlefish obtained from public waters that have been commingled with privately produced fish subject to the provisions of ~~this act~~ Sections 6-311 through 6-317 of this title regarding the capture of wild fish or aquatic species for direct sale. A licensed producer may collect both game fish and nongame fish broodstock from public waters using any legal means of take for use in propagation of fish only in a recirculating aquaculture system up to, but not exceeding, the normal possession limit for a person holding a recreational fishing license; provided, that the licensed producer complies with all applicable terms set forth by the Department of Wildlife Conservation. Additionally, such individual broodstock may not be sold and cannot be released back into the wild. Production of fish species considered to be species of special concern, excluding paddlefish (*polyodon spathula*), along with species prohibited under agency rules and federal threatened and endangered species, is prohibited.

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

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

E. The Oklahoma Department of Agriculture, Food, and Forestry may assess import fees for any entity selling live fish within this state that does not possess a valid license for commercial production of aquatic species issued by the Oklahoma Department of Agriculture, Food, and Forestry along with an Oklahoma address subject to regular inspections. Fees shall reflect the costs in-state producers are subjected to when exporting to other states. Each shipment shall include a valid Animal and Plant Health Inspection Service health certificate.

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

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

SECTION 3. This act shall become effective November 1, 2025.

Passed the Senate the 27th day of March, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the 1st day of May, 2025.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____