

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2108

By: Deever

6 AS INTRODUCED

7 An Act relating to feral swine; amending 2 O.S. 2021,
8 Section 6-604, which relates to the removal of feral
9 swine; requiring permission from landowner or lessee
10 to remove or take feral swine on certain property;
11 prohibiting the transportation, importation, and
12 release of live feral swine; providing certain
13 exemptions; providing penalties; amending 29 O.S.
14 2021, Sections 4-107.2, as amended by Section 1,
15 Chapter 77, O.S.L. 2018, 4-135, as last amended by
16 Section 1, Chapter 198, O.S.L. 2023, and Section 3,
17 Chapter 171, O.S.L. 2022 (29 O.S. Supp. 2025,
18 Sections 4-135 and 4-135.2), which relate to control
of nuisance wildlife; removing ability to maintain
certain firearm for nuisance control; permitting the
nuisance control without permit under certain
circumstances; prohibiting certain times to shoot
feral swine; authorizing revocation of license upon
conviction; making language gender neutral; updating
statutory language and references; repealing 2 O.S.
2021, Section 6-605, which relates to special permit
for private property owner to kill feral swine;
providing for codification; and providing an
effective date.

19
20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

23 Section 6-604. A. Except as otherwise specified in the Feral
24 Swine Control Act, any person with permission of the owner may

1 remove feral swine from private or public property during daylight
2 hours.

3 B. Any person who intends to kill or attempt to kill feral
4 swine at night shall obtain a ~~permit issued by the Department of~~
5 ~~Wildlife Conservation pursuant to Section 4-135 of Title 29 of the~~
6 ~~Oklahoma Statutes and promulgated rules~~ written permission from the
7 landowner or agricultural lessee.

8 SECTION 2. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 6-615 of Title 2, unless there
10 is created a duplication in numbering, reads as follows:

11 A. As used in this section, the terms "feral swine," "remove,"
12 and "Judas pig tagging system" shall have the same meanings as
13 provided in Section 6-603 of Title 2 of the Oklahoma Statutes.

14 B. It shall be unlawful for any person to:

15 1. Transport or relocate any live feral swine within this
16 state;

17 2. Import any live feral swine into this state; or

18 3. Intentionally release any feral swine to live in a wild or
19 feral state upon any public or private land.

20 C. The prohibitions in subsection B of this section shall not
21 apply to:

22 1. Activities approved in writing by the Oklahoma Department of
23 Agriculture, Food, and Forestry for scientific research or
24 veterinary purposes, provided such activities are conducted under

1 direct oversight by the Department and include measures to prevent
2 escape or spread; or

3 2. The use of a Judas pig tagging system, as defined in Section
4 6-603 of Title 2 of the Oklahoma Statutes, where a radio-collared
5 feral swine is released onto the same private land from which it was
6 captured, within twenty-four (24) hours of capture, solely for the
7 purpose of population control.

8 D. Any person violating the provisions of this section shall be
9 guilty of a misdemeanor for the first offense and shall be punished
10 by a fine not less than Five Hundred Dollars (\$500.00) nor more than
11 One Thousand Dollars (\$1,000.00), or by imprisonment in the county
12 jail for not more than six (6) months, or by both such fine and
13 imprisonment. For a second or subsequent offense, the violation
14 shall be a felony punishable by a fine not less than Two Thousand
15 Dollars (\$2,000.00) nor more than Five Thousand Dollars (\$5,000.00),
16 or by imprisonment in the custody of the Department of Corrections
17 for not more than one (1) year, or by both such fine and
18 imprisonment. In addition, upon conviction, the court may order the
19 revocation of any hunting, fishing, or agricultural license held by
20 the violator for a period of one (1) to two (2) years.

21 E. Violations involving the intentional release of ten or more
22 feral swine, or releases that result in documented spread to new
23 areas, shall be classified as a felony regardless of prior offenses,
24

1 with penalties as provided in subsection D of this section for
2 subsequent offenses.

3 F. Nothing in this section shall be construed to prohibit the
4 removal of feral swine as authorized under Section 6-604 of Title 2
5 of the Oklahoma Statutes or other provisions of the Feral Swine
6 Control Act.

7 SECTION 3. AMENDATORY 29 O.S. 2021, Section 4-107.2, as
8 amended by Section 1, Chapter 77, O.S.L. 2018, is amended to read as
9 follows:

10 Section 4-107.2. A. The Oklahoma Department of Agriculture,
11 Food, and Forestry is authorized to issue a permit to a person to
12 engage in the management of depredating animals by use of aircraft.
13 The permit may be issued without limitation by statewide season
14 regulations or bag limits.

15 B. The permit holder may contract with and authorize other
16 persons to engage in the management of depredating animals by use of
17 an aircraft, provided that the permit holder accompanies the
18 authorized person while engaging in the activity and, if engaging in
19 the activity on private property, the authorized person has consent
20 of the landowner. Any person contracting with or authorized by a
21 permit holder pursuant to this subsection shall not be required to
22 have a permit to engage in the management of depredating animals by
23 use of aircraft. If contracting or authorizing other persons to
24 engage in the management of depredating animals by use of an

1 aircraft, the permit holder shall inform the person of the
2 importance of safely keeping his or her aim and fire beneath the
3 horizon. The permit holder shall have the authorized person sign a
4 disclosure stating that the person is aware of the dangers of aiming
5 and shooting over the horizon. The permit holder shall retain a
6 copy of the disclosure for a reasonable period of time. Personnel
7 of the Department of Defense and law enforcement shall not be
8 required to sign a disclosure.

9 C. A pilot of an aircraft used for the management of
10 depredating animals shall maintain a daily flight log and report.
11 The daily flight log shall be current and available for inspection
12 by employees of the Oklahoma Department of Agriculture, Food, and
13 Forestry at reasonable times. The permit shall be carried in the
14 aircraft when performing management by the use of aircraft. Each
15 permit holder, authorized person pursuant to subsection B of this
16 section, and pilot shall comply with all Federal Aviation
17 Regulations for the specific type of aircraft. The Oklahoma
18 Department of Agriculture, Food, and Forestry shall not require the
19 pilot to hold a specific type of pilot's license. The Oklahoma
20 Department of Agriculture, Food, and Forestry shall also not require
21 the permit holder or pilot to carry liability insurance.

22 Applications for a permit shall be submitted to the Oklahoma
23 Department of Agriculture, Food, and Forestry and shall contain all
24 information as required by the Oklahoma Department of Agriculture,

1 Food, and Forestry. The Oklahoma Department of Agriculture, Food,
2 and Forestry may issue a permit if it finds that it will aid in the
3 management of depredating animals. The Oklahoma Department of
4 Agriculture, Food, and Forestry may deny the permit if it finds that
5 it will have a deleterious effect on indigenous species. The
6 Oklahoma Department of Agriculture, Food, and Forestry shall not
7 require the names of the persons authorized by or contracting with
8 the permit holder pursuant to subsection B of this section. The
9 permit shall include, but is not limited to, the following
10 information:

- 11 1. The name and address of the permit holder;
- 12 2. A description of the animals to be taken;
- 13 3. A description of the area from which the animals are
14 authorized to be taken; and
- 15 4. The issue and expiration date of the permit.

16 D. A permit to manage depredating animals issued pursuant to
17 this section shall be valid for a period of one (1) year from the
18 date of issuance. Permits may be renewed by filing an application
19 for renewal with the Oklahoma Department of Agriculture, Food, and
20 Forestry.

21 E. The annual fee for a permit to manage depredating animals
22 issued pursuant to this section shall be Two Hundred Dollars
23 (\$200.00).

1 F. Not less than twenty-four (24) hours prior to managing
2 depredating animals by use of an aircraft, a permit holder shall
3 notify the Oklahoma Department of Agriculture, Food, and Forestry of
4 the date, time, and area on which management will occur.

5 Notification may be made by telephone, fax, or electronic means, as
6 determined by the Oklahoma Department of Agriculture, Food, and
7 Forestry.

8 G. The holder of a permit to manage depredating animals issued
9 pursuant to this section shall file with the Oklahoma Department of
10 Agriculture, Food, and Forestry within thirty (30) days following
11 the end of each calendar quarter or on termination of the permit,
12 whichever occurs first, a report on a form prescribed by the
13 Oklahoma Department of Agriculture, Food, and Forestry showing:

14 1. The name, address, and permit number of the permit holder;

15 2. The name and address of the pilot participating in the
16 flights;

17 3. The number and description of the depredating animals
18 managed under the permit;

19 4. The types of depredating animals authorized to be managed
20 under the permit;

21 5. Dates and times of authorized flights; and

22 6. Any other information required by the Oklahoma Department of
23 Agriculture, Food, and Forestry.

1 H. It shall be unlawful for a person issued a permit to manage
2 depredating animals pursuant to this section or a person authorized
3 by or contracting with the permit holder pursuant to subsection B of
4 this section to:

5 1. Hunt, shoot, shoot at, kill, or attempt to kill from an
6 aircraft any wildlife, domesticated animal, or livestock other than
7 the depredating animals authorized by the permit;

8 2. Intentionally disturb, haze, or buzz any wildlife,
9 domesticated animal, or livestock by the use of an aircraft other
10 than the depredating animals authorized by the permit; or

11 3. Take or attempt to take any depredating animal for any
12 purpose other than is necessary for the protection of land, water,
13 wildlife, livestock, domesticated animals, human life, or crops.

14 I. During designated deer hunting seasons from the dates of
15 October 1 through January 15 as specified in rules promulgated by
16 the Department of Wildlife Conservation, it shall be unlawful to
17 take or attempt to take depredating animals, excluding feral swine,
18 without first obtaining a special permit from the local game warden
19 or other authorized employee of the Department of Wildlife
20 Conservation.

21 J. 1. Any person convicted of violating the provisions of this
22 section shall be punished by a fine of not less than Five Hundred
23 Dollars (\$500.00) nor more than One Thousand Five Hundred Dollars
24 (\$1,500.00), or by imprisonment in the county jail not to exceed

1 sixty (60) days, or by both such fine and imprisonment. Any person
2 convicted of violating the provisions of this section shall have the
3 permit issued pursuant to this section revoked. No new permit shall
4 be issued for a period of six (6) months from and after the date on
5 which the revocation order becomes effective.

6 2. In addition to the criminal penalties specified by this
7 section, the Oklahoma Department of Agriculture, Food, and Forestry
8 may:

- 9 a. assess an administrative penalty of not more than Ten
10 Thousand Dollars (\$10,000.00) per day of
11 noncompliance, or
- 12 b. bring an action for injunctive relief granted by a
13 district court.

14 3. A district court may grant injunctive relief to prevent a
15 violation of, or to compel compliance with, any of the provisions of
16 this section or any rule promulgated pursuant to this section, or
17 order, license, or permit issued pursuant to this section.

18 4. Nothing in this section shall preclude the Oklahoma
19 Department of Agriculture, Food, and Forestry from seeking penalties
20 in district court in the maximum amount allowed by law.

21 5. Any person assessed an administrative penalty may be
22 required to pay, in addition to the penalty amount and interest,
23 attorney fees and costs associated with the collection of the
24 penalties.

1 6. The Oklahoma Department of Agriculture, Food, and Forestry
2 or the district attorney of the appropriate district of Oklahoma may
3 bring an action in district court for the criminal prosecution of a
4 violation by any person of a provision of this section or any rule
5 promulgated pursuant to this section, or order, license, or permit
6 issued pursuant to this section. The assessment of penalties in an
7 administrative enforcement proceeding shall not prevent the
8 subsequent assessment by a court of the maximum criminal penalties
9 for violations of this section.

10 K. Any person convicted of violating the provisions of Section
11 4-106 of this title shall have the permit issued pursuant to this
12 section revoked. No new permit shall be issued for a period of six
13 (6) months from and after the date on which the revocation order
14 becomes effective.

15 L. As used in this section:

16 1. "Depredating animal" means ~~feral hogs,~~ coyotes, and
17 crossbreeds between coyotes and dogs;

18 2. "Management by the use of aircraft" means to manage
19 depredating animals by counting, photographing, relocating,
20 capturing, or hunting with any firearm by the use of aircraft; and

21 3. "Aircraft" means manned fixed-wing and non-fixed-wing
22 aircraft registered with the Federal Aviation Administration (FAA).

1 SECTION 4. AMENDATORY 29 O.S. 2021, Section 4-135, as

2 last amended by Section 1, Chapter 198, O.S.L. 2023 (29 O.S. Supp.
3 2025, 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,
10 raccoon, 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
13 of taking. A permitted landowner, agricultural lessee, or a
14 designated agent with written permission of the landowner or
15 agricultural lessee may, with a valid permit issued pursuant to this
16 section, control the wildlife specified in this subsection ~~and feral~~
17 ~~swine~~ at night to protect marketable agricultural crops, livestock,
18 or processed feed, seed, or other materials used in the production
19 of an agricultural commodity.

20 B. Except as otherwise specified in this ~~subsection section~~,
21 the permit to hunt at night shall be valid for a period of up to one
22 (1) year from the date the permit was issued.

23 C. Notwithstanding the provisions of Section 5-203.1 of this
24 title, a landowner, agricultural lessee, or designated agent with

1 written permission of the landowner and with a valid permit may use
2 a headlight carried on the person while hunting at night. Nothing
3 in this section shall authorize the use of a headlight mounted on a
4 vehicle or the use of a headlight from a public roadway.

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

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

18 SECTION 5. AMENDATORY Section 3, Chapter 171, O.S.L.
19 2022 (29 O.S. Supp. 2025, Section 4-135.2), is amended to read as
20 follows:

21 Section 4-135.2. A. Except during the regular deer gun seasons
22 season, a landowner, agricultural lessee, or their his or her
23 designated agent with written permission from the landowner or
24 agricultural lessee may control nuisance or damage by coyotes or

1 feral swine without a permit as provided for in Section 4-135 of
2 ~~Title 29 of the Oklahoma Statutes this title~~ during the day or
3 night, and without limitation by statewide season regulations or bag
4 limits, and with the use of any legal means of take, to protect
5 marketable agricultural crops, livestock, or processed feed, seed,
6 or other materials used in the production of an agricultural
7 commodity. Landowners or agricultural lessees performing nuisance
8 control activities shall be required to have a current agricultural
9 exemption permit issued by the Oklahoma Tax Commission.

10 B. Except during the regular deer gun season, a landowner,
11 agricultural lessee, or his or her designated agent with written
12 permission from the landowner or agricultural lessee may control
13 nuisance or damage by feral swine without a permit as provided for
14 in Section 4-135 of this title during the day or night. During the
15 regular deer gun season, any person, excluding landowners and
16 agricultural lessees on property owned or leased by them, in the
17 field during legal daylight shooting hours in possession of a
18 firearm that is legal to harvest a deer shall be in possession of a
19 hunting license and deer gun license unless otherwise exempt.

20 C. Notwithstanding the provisions of Section 5-203.1 of ~~Title~~
21 ~~29 of the Oklahoma Statutes this title~~, a landowner, agricultural
22 lessee, or designated agent of the landowner or lessee may use a
23 headlight, thermal, or light enhancement device carried on the
24 person, a vehicle with or without a mounted spotlight, or night

1 vision equipment while controlling nuisance coyotes and ~~feral swine~~
2 at night. Nothing in this subsection shall authorize the discharge
3 of a firearm, the use of a headlight, thermal or night vision
4 equipment, or a spotlight from a public roadway. Upon final
5 conviction of violation of this section, any hunting or fishing
6 license issued to a person by the Department of Wildlife
7 Conservation shall be automatically revoked. The revocation shall
8 be for a period not less than one (1) year.

9 C. D. Any person who has been convicted of, or pleads guilty
10 to, a violation of Section 5-203.1 ~~of Title 29 of the Oklahoma~~
11 ~~Statutes or Section 5-411 of Title 29 of the Oklahoma Statutes of~~
12 ~~this title~~ within a previous three-year period shall not control
13 nuisance or damage by coyotes ~~or feral swine~~ at night.

14 SECTION 6. REPEALER 2 O.S. 2021, Section 6-605, is
15 hereby repealed.

16 SECTION 7. This act shall become effective November 1, 2026.
17

18 60-2-3497 YG 1/15/2026 12:47:34 PM
19
20
21
22
23
24