

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
FOR
4 SENATE BILL NO. 2114

By: Guthrie and Bullard

5

6

7 COMMITTEE SUBSTITUTE

8 An Act relating to game and fish; stating legislative
9 intent; amending 21 O.S. 2021, Section 1835.2, which
10 relates to trespass upon private land primarily
11 devoted to farming, ranching, or forestry; defining
12 terms; amending 29 O.S. 2021, Section 3-201, as
13 amended by Section 265, Chapter 486, O.S.L. 2025 (29
14 O.S. Supp. 2025, Section 3-201), which relates to
15 game wardens; authorizing game wardens to provide
certain enforcement; updating statutory language;
prohibiting dogs from harassing wildlife on
trespassed land; providing certain exemptions;
authorizing game wardens to coordinate with proper
law enforcement; providing for noncodification;
providing for codification; and providing an
effective date.

16

17

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

19 SECTION 1. NEW LAW A new section of law not to be
20 codified in the Oklahoma Statutes reads as follows:

21 It is the intent of the Legislature to establish a clear and
22 enforceable standard to prohibit any person from knowingly,
23 recklessly, or negligently permitting a dog under his or her
24 ownership to pursue, control, or disturb wildlife upon land in which

1 such person has no ownership or permission to enter. It is the
2 intent of the Legislature to protect landowners and persons in
3 lawful control of the land from unwanted dogs entering upon such
4 land as to preserve their property rights and land use. Nothing in
5 this act shall be construed to penalize dogs engaged in lawful
6 hunting with the permission of the landowner or enforce liability if
7 a hunting dog unintentionally crosses into land the dog is not
8 permitted to access if reasonable efforts are made to retrieve the
9 dog.

10 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1835.2, is
11 amended to read as follows:

12 Section 1835.2. A. Notwithstanding the provisions of Section
13 1835 of this title, the following provisions apply to private land
14 that is primarily devoted to farming, ranching, or forestry
15 purposes:

16 1. For the purposes of this section, the term "owner" or
17 "occupant" includes a person in lawful control of the land as
18 provided in Section 3 of this act;

19 2. Except as provided in this section, whoever willfully enters
20 private land of another that is primarily devoted to farming,
21 ranching, or forestry purposes without permission by the surface
22 owner, surface lessee, hunting lessee, or lawful occupant thereof
23 shall be deemed guilty of trespass and, upon conviction thereof,
24 shall be ~~fined~~ punished by a fine in any sum not less than Seven

1 Hundred Fifty Dollars (\$750.00) nor more than Two Thousand Dollars
2 (\$2,000.00), and in addition, the court shall order restitution for
3 actual damages incurred. Persons convicted of a second or
4 subsequent offense under this paragraph shall be guilty of a
5 misdemeanor and shall be punished by a fine in any sum not less than
6 One Thousand Five Hundred Dollars (\$1,500.00) nor more than Two
7 Thousand Five Hundred Dollars (\$2,500.00), or by confinement in the
8 county jail for not less than thirty (30) days nor more than six (6)
9 months, or by both such fine and imprisonment, and in addition, the
10 court shall order restitution for actual damages incurred;

11 2. 3. The provisions of paragraph 1 2 of this subsection shall
12 not apply to peace officers as defined in Section 99 of this title
13 or any federal, state, or local government employees engaged in the
14 performance of their duties, or to any firefighters, emergency
15 medical personnel, or public utility employees engaged in addressing
16 an emergency that presents an imminent danger to health, safety, or
17 the environment in the performance of their duties, or to parties
18 engaged in oil and gas operations, which shall include, without
19 limitation, exploration, drilling, production and sales activities,
20 under authority of mineral ownership, an oil and gas lease, seismic
21 agreement or permit, gas gathering, purchase, transportation, or
22 treating contracts, Corporation Commission order, or other lawful
23 authority from persons entitled to give the same. The provisions of
24 paragraph 1 2 of this subsection shall not prohibit railroad

1 employees and emergency equipment from entering such land to restore
2 rail service following an accident, derailment or natural disaster;
3 nor the entrance of utility employees or contractors while acting in
4 the scope of their employment; nor employees or contractors of valid
5 easement or license holders while acting in the scope of their
6 employment;

7 3. 4. The following persons may enter such land of another
8 unless forbidden to do so, either orally or in writing, by the owner
9 or lawful occupier thereof: registered land surveyors and
10 registered professional engineers for the purpose of land surveying
11 in the performance of their professional services, persons making a
12 delivery, selling a product or service, conducting a survey or poll,
13 working on behalf of a candidate for political office, or who
14 otherwise have a legitimate reason for entering and who, immediately
15 upon entering, seek to conduct such business; and

16 4. 5. Anyone who willfully or maliciously enters any such land
17 of another and therein commits or attempts to commit waste, theft,
18 or damage shall be deemed guilty of a misdemeanor and, upon
19 conviction thereof, shall be ~~fined~~ punished by a fine not less than
20 One Thousand Dollars (\$1,000.00), or by confinement in the county
21 jail for not less than thirty (30) days nor more than six (6)
22 months, or by both such fine and imprisonment, and in addition, the
23 court shall order restitution for actual damages incurred. Persons
24 convicted of a second or subsequent offense under this paragraph

1 shall be guilty of a misdemeanor and shall be punished by a fine of
2 not less than Two Thousand Five Hundred Dollars (\$2,500.00), or by
3 confinement in the county jail for not less than thirty (30) days
4 nor more than six (6) months, or by both such fine and imprisonment,
5 and in addition, the court shall order restitution for actual
6 damages.

7 B. This section shall not be construed to prohibit acts that
8 are permitted pursuant to Section 5-202 or 6-304 of Title 29 of the
9 Oklahoma Statutes.

10 C. 1. It shall be an affirmative defense to prosecution under
11 paragraph ~~1~~ 2 of subsection A of this section that the accused had
12 express or implied permission or legal authority to be on the
13 property.

14 2. If an accused reasonably believed he or she was upon
15 property for which ~~they~~ he or she had permission to be upon, it
16 shall be an affirmative defense to prosecution under paragraph ~~1~~ 2
17 of subsection A of this section that the accused had with him or
18 her, on his or her person, written permission from the surface
19 owner, surface lessee, hunting lessee, or lawful occupant to be upon
20 such person's land while the accused was upon any adjoining
21 property. This defense shall not be available to the accused if:

22 a. the accused has previously pled guilty, nolo
23 contendere, or has been convicted of any act of
24

trespass or has been found civilly liable of any act
of trespass, or

b. the accused, while the accused was upon the adjoining property, does not have with him or her, on his or her person, the written permission specified in this paragraph.

SECTION 3. NEW LAW A new section of law to be codified

in the Oklahoma Statutes as Section 2-128.1 of Title 29, unless there is created a duplication in numbering, reads as follows:

"Person in lawful control of the land" means the landowner,

tenant, or any individual holding a valid written hunting lease, fishing lease, agricultural lease, grazing lease, recreational-use lease, or other written agreement granting authority to be upon or use the land.

SECTION 4. AMENDATORY 29 O.S. 2021, Section 3-201, as

amended by Section 265, Chapter 486, O.S.L. 2025 (29 O.S. Supp. 2025, Section 3-201), is amended to read as follows:

Section 3-201. A. All things being equal, veterans of World War II, the Korean, the Vietnam and Persian Gulf Wars shall be appointed as game wardens when vacancies occur.

B. All persons appointed game wardens shall be peace officers and have the full powers of peace officers of ~~the State of Oklahoma~~ this state in the enforcement of the provisions of ~~this Code~~ the Oklahoma Wildlife Conservation Code and are authorized to:

- 1 1. Enforce all state laws on Department-owned or Department-
2 managed lands;
- 3 2. Enforce all other laws of this state;
- 4 3. Make arrests for wildlife conservation violations and
5 nonconservation-related crimes with the same power and authority as
6 sheriffs are vested with and in cooperation with other law
7 enforcement officers and agencies;
- 8 4. Take into possession any and all protected wildlife, or any
9 part thereof, killed, taken, shipped or in any possession contrary
10 to the law, and the wildlife or parts thereof may be disposed of as
11 determined by the Director or any court of competent jurisdiction;
- 12 5. Make a complaint and cause proceedings to be commenced
13 against any person for violation of any of the laws for the
14 protection and propagation of wildlife, with the sanction of the
15 prosecuting or district attorney of the county in which the
16 proceedings are brought, and shall not be required to give security
17 for costs;
- 18 6. Be an authorized agent of the Commission or Department under
19 Section 3-202 of this title in addition to duties as a game warden;
20 and
- 21 7. Assist in enforcement of the state fire laws, upon request
22 of the Oklahoma Department of Agriculture, Food, and Forestry.

23 C. 1. Pursuant to the provisions of this subsection, a game
24 warden may operate a vehicle owned or leased by the Department upon

1 a roadway during the hours of darkness without lighted headlamps,
2 clearance lamps, or other illuminating devices. As used in this
3 paragraph, "roadway" shall include any street or highway in this
4 state except an interstate highway, a limited access highway, a
5 state trunk highway, or any street or highway within the limits of
6 an incorporated area.

7 2. Pursuant to the provisions of this subsection, a game warden
8 may operate a vessel upon any waters of this state during the hours
9 of darkness without the illuminating devices required by Section
10 4207 of Title 63 of the Oklahoma Statutes.

11 3. A game warden may operate a vehicle or vessel without the
12 illuminating devices specified in this subsection only if the
13 operation:

- 14 a. is made in the performance of the duties of the game
15 warden pursuant to the provisions of the Code, and
- 16 b. (1) will aid in the accomplishment of a lawful arrest
17 for any violation of the Code or any rule or
18 regulation promulgated thereto, or
19 (2) will aid in ascertaining whether a violation of
20 the Code or any rule or regulation promulgated
21 thereto has been or is about to be committed.

22 D. Any person who refuses to stop a vehicle or boat when
23 requested to do so by a game warden in the performance of the duties
24 of the game warden is guilty of a misdemeanor and upon conviction is

1 punishable shall be punished by a fine ~~of~~ not less than One Hundred
2 Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00).

3 E. Any game warden who solicits or accepts any bribe or money
4 or other thing of value in connection with the performance of duty
5 as a game warden shall be guilty of a Class C2 felony offense and,
6 upon conviction, shall be sentenced to a term of imprisonment as
7 provided for in subsections B through F of Section 20M of Title 21
8 of the Oklahoma Statutes and shall be summarily removed from office.

9 F. Pursuant to the provisions of subsection B of this section
10 and the Oklahoma Wildlife Conservation Code, a game warden shall not
11 have authority to use or place a game or wildlife camera on private
12 property without the permission of the owner or controller of the
13 property or pursuant to a warrant issued by a court of competent
14 jurisdiction.

15 G. Game wardens may enforce the provisions of Section 5 of this
16 act relating to dogs harassing wildlife on lands without permission
17 and may take enforcement action upon complaint of a landowner or a
18 person in lawful control of the land.

19 SECTION 5. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 7-802 of Title 29, unless there
21 is created a duplication in numbering, reads as follows:

22 A. No person shall knowingly, recklessly, or negligently allow
23 any dog owned by, kept by, or under the control of the person to

1 pursue, harass, or otherwise disturb wildlife on lands the person
2 does not own or have permission to enter.

3 B. A first violation of this section shall result in the
4 issuance of a warning. A second and subsequent violation of this
5 section shall be punishable by a fine not to exceed Two Hundred
6 Fifty Dollars (\$250.00). Each separate occurrence may be charged as
7 a distinct offense.

8 C. For purposes of this section, permission may be granted by
9 the landowner or by any person in lawful control of the land as
10 defined in Section 3 of this act to allow for the presence of any
11 person or dog on such land.

12 D. The provisions of this section shall not apply to:

13 1. Dogs lawfully engaged in hunting activities on lands where
14 permission has been granted;

15 2. Dogs engaged in livestock-protection duties on lands where
16 such duties are authorized;

17 3. Law enforcement animals performing official duties; or

18 4. Unintentional or momentary crossing of property boundaries
19 where a person is making reasonable efforts to recover a dog engaged
20 in hunting activities on land he or she is not permitted to access.

21 E. When the owner or person responsible for the dog cannot be
22 identified within a reasonable amount of time, a game warden may
23 take reasonable measures to detain, impound, or coordinate the
24 impoundment of the dog in cooperation with local law enforcement,

1 animal control officers, or county sheriff's departments, for the
2 purpose of preventing continued harassment of wildlife and
3 identifying the owner.

4 SECTION 6. This act shall become effective November 1, 2026.

5
6 60-2-3646 YG 2/13/2026 3:54:09 PM

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24