

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2069

By: Kern

6 AS INTRODUCED

7 An Act relating to game and fish; amending 29 O.S.  
8 2021, Section 5-406, which relates to migratory  
9 birds; defining terms; prohibiting the taking of  
migratory game birds by certain methods; providing  
exceptions; providing penalties for violations;  
requiring revocation of certain licenses upon  
conviction; requiring court to transmit certain  
information; defining term; and providing an  
effective date.

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

16 SECTION 1. AMENDATORY 29 O.S. 2021, Section 5-406, is  
17 amended to read as follows:

18 Section 5-406. A. As used in this section:

19 1. "Baiting" means the direct or indirect placing, exposing,  
20 depositing, distributing, or scattering of salt, grain, or other  
21 feed that could serve as a lure or attraction for migratory game  
22 birds to, on, or over any areas where hunters are attempting to take  
23 them;

1       2. "Baited area" means any area on which salt, grain, or other  
2       feed has been placed, exposed, deposited, distributed, or scattered,  
3       if that salt, grain, or other feed could serve as a lure or  
4       attraction for migratory game birds to, on, or over areas where  
5       hunters are attempting to take them. Any such area will remain a  
6       baited area for ten (10) days following the complete removal of all  
7       such salt, grain, or other feed;

8       3. "Manipulation" means the alteration of natural vegetation or  
9       agricultural crops by activities that include, but are not limited  
10      to, mowing, shredding, discing, rolling, chopping, trampling,  
11      flattening, burning, or applying herbicide treatments. The term  
12      manipulation does not include the distributing or scattering of  
13      seed, grain, or other feed after removal from or storage on the  
14      field where grown;

15      4. "Migratory game birds" means those migratory birds included  
16      in the terms of conventions between the United States and any  
17      foreign country for the protection of migratory birds, for which  
18      open seasons are prescribed in this subsection and which belong to  
19      the following families:

- 20       a. Anatidae (ducks, geese, including brant, and swans),
- 21       b. Columbidae (doves and pigeons),
- 22       c. Gruidae (cranes),
- 23       d. Rallidae (rails, coots, and gallinules), and
- 24       e. Scolopacidae (woodcock and snipe);

1       5. "Normal agricultural operation" means a normal agricultural  
2       planting, harvesting, post-harvest manipulation, or agricultural  
3       practice that is conducted in accordance with official  
4       recommendations of State Extension Specialists of the Cooperative  
5       Extension Service of the United States Department of Agriculture;  
6       and

7       6. "Other feed" means any simulated, synthetic, imitation, or  
8       artificial products made from plastic, rubber, foam, or other  
9       unnatural ingredients to resemble salt or grain, as well as any  
10       other edible feed that could lure or attract game birds that is not  
11       defined as a salt or grain.

12       B. No person may hunt, capture or kill any species of migratory  
13       birds, including but not limited to ducks, brant, and geese, except  
14       as provided in the Treaties of the United States and Acts of  
15       Congress relating to such endeavors, and as annually fixed by the  
16       federal department in control of migratory birds and the Commission.

17       C. 1. No person shall take migratory game birds by the aid of  
18       baiting, or on or over any baited area, where a person knows or  
19       reasonably should know that the area is or has been baited.

20       2. Nothing in this section prohibits the taking of any  
21       migratory game birds except waterfowl, coots, and cranes, on and  
22       over lands or areas that are not otherwise baited areas, and where  
23       grain or other feed has been distributed or scattered solely as the  
24       result of manipulation of an agricultural crop or other feed on the

1      land where grown, or solely as the result of a normal agricultural  
2      operation.

3      D. 1. Any person convicted of violating the provisions of this  
4      section shall, upon conviction, be guilty of a misdemeanor  
5      punishable by a fine not less than Two Hundred Fifty Dollars  
6      (\$250.00) nor more than Seven Hundred Fifty Dollars (\$750.00), or by  
7      imprisonment in the county jail for a period not to exceed ten (10)  
8      days, or by both such fine and imprisonment. Any person convicted  
9      of a second or subsequent violation of the provisions of this  
10     section shall be punishable by a fine not less than Seven Hundred  
11     Fifty Dollars (\$750.00) nor more than One Thousand Five Hundred  
12     Dollars (\$1,500.00), or by imprisonment in the county jail for a  
13     period not to exceed ten (10) days, or by both such fine and  
14     imprisonment.

15     2. Any hunting or fishing license issued to a person by the  
16     Department of Wildlife Conservation shall be automatically revoked  
17     upon conviction of the person for violating the provisions of this  
18     section. The revocation shall be for a period set by the court of  
19     not less than one (1) year nor more than ten (10) years. If the  
20     court does not set a period, the revocation shall be for one (1)  
21     year from the date the conviction becomes final. During the period  
22     of revocation, the Department shall not issue the person a hunting  
23     or fishing license. If the court does not set a revocation period,

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1 the Department shall not issue the person a license within one (1)  
2 year of the conviction.

3 3. The hunting or fishing license of any person convicted of a  
4 second or subsequent violation of the provisions of this section  
5 shall be automatically revoked upon conviction of the person for  
6 violating the provisions of this section. The revocation shall be  
7 for a period set by the court of not less than three (3) years nor  
8 more than ten (10) years. If the court does not set a period, the  
9 revocation shall be for three (3) years from the date the conviction  
10 becomes final. During the period of revocation, the Department  
11 shall not issue the person a hunting or fishing license. If the  
12 court does not set a revocation period, the Department shall not  
13 issue the person a license within three (3) years of the conviction  
14 of the person pursuant to this section.

15 4. A person who has a license or permit revoked pursuant to  
16 this section shall surrender the revoked license or permit to the  
17 court, or the court may order the defendant to surrender the license  
18 or permit directly to an officer from the Department of Wildlife  
19 Conservation present at the hearing. If the license or permit is  
20 surrendered to the court, the court shall send the Department the  
21 revoked license. The court shall also send the Department a copy of  
22 the judgment of conviction. In lieu of sending a paper copy of the  
23 documents and information required by this subsection, the court

1 clerk may transmit the conviction information by using an electronic  
2 method authorized by the Department.

3 5. For the purposes of this section, "conviction" shall include  
4 a plea of guilty or nolo contendere to an offense or the imposition  
5 of deferred adjudication for an offense.

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

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