

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2069

By: Kern

AS INTRODUCED

An Act relating to game and fish; amending 29 O.S. 2021, Section 5-406, which relates to migratory 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.

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

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

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

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