# An Act

ENROLLED HOUSE
BILL NO. 1338

By: Renegar and Lockhart of the House

and

Lerblance of the Senate

An Act relating to game and fish; amending 29 O.S. 2001, Section 4-112A, as last amended by Section 2, Chapter 129, O.S.L. 2008 (29 O.S. Supp. 2010, Section 4-112A), which relates to the certificate of competency and safety requirements; changing age under which a certificate is required; changing age for an accompanying licensed hunter; changing age for an apprentice hunting license; and requiring persons under ten years of age to be accompanied by a licensed hunter with certain qualifications when hunting big game.

SUBJECT: Hunting licenses, tags, and certificates of competency and safety

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

SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-112A, as last amended by Section 2, Chapter 129, O.S.L. 2008 (29 O.S. Supp. 2010, Section 4-112A), is amended to read as follows:

Section 4-112A. A. No person ~~thirty five (35)~~ thirty (30) years of age or younger may purchase or receive any hunting license or hunting tag unless the person possesses and can exhibit a certificate of competency and safety in the use and handling of firearms from the Department of Wildlife Conservation. The Department shall charge no fee for the issuance of certificates. A hunter safety certificate issued by another state or country and

approved by the Department of Wildlife Conservation shall be deemed to meet the requirements of this section.

B. A youth hunter under sixteen (16) years of age hunting small game shall be exempt from the hunter safety certification requirements set forth in subsection A of this section if they are accompanied by a licensed hunter ~~twenty one (21)~~ eighteen (18) years of age or older who possesses a certificate of hunter safety or is exempt from the hunter safety certification requirements. The accompanying hunter shall be in sight of the youth hunter and shall be able to communicate with the youth hunter in a normal voice without the aid of any communication device. A youth hunter who possesses a certificate of hunter safety may hunt small game without an accompanying hunter as long as the youth hunter carries the certification on their person.

C. Persons ~~ten (10)~~ eight (8) years of age through ~~thirty five (35)~~ thirty (30) years of age who do not possess a certificate of hunter safety may purchase or receive any hunting license or permit which is required by law with the designation "apprentice" listed on the hunter education line of the license or permit. A person holding a license or permit with the apprentice designation shall be allowed to hunt only if they are accompanied by a licensed hunter ~~twenty one (21)~~ eighteen (18) years of age or older who possesses a certificate of hunter safety or is exempt from the hunter safety certification requirements or is accompanied by a person exempt from the hunting license requirements. In addition, all persons under ten (10) years of age, when hunting big game, regardless of hunter safety certification, shall be accompanied by a licensed hunter eighteen (18) years of age or older who possesses a certificate of hunter safety or is exempt from the hunter safety certification requirements or is accompanied by a person exempt from the hunting license requirement. When hunting big game, the accompanying hunter shall be within arm's length of the apprentice hunter or close enough so that the accompanying hunter can immediately take control of the firearm or archery equipment of the apprentice hunter. When hunting small game, the accompanying hunter shall be in sight of the apprentice hunter and shall be able to communicate with the apprentice hunter in a normal voice without the aid of any communication device.

D. Legal residents who do not possess a certificate of hunter safety may purchase a lifetime hunting license or lifetime combination hunting/fishing license with the designation "apprentice" listed on the hunter education line of the license. A

resident holding a lifetime license with the apprentice designation shall be allowed to hunt only if they comply with the accompanying hunter requirements as set forth in subsection C of this section. Upon obtaining a certificate of hunter safety, a resident holding a lifetime license with the apprentice designation shall be entitled to renew their license without the apprentice designation.

E. The Department of Wildlife Conservation shall promulgate rules necessary for the certification of programs for hunter safety offered by other public or private organizations.

F. The provisions of this section shall not apply to any person who has an honorable discharge from the United States Armed Forces, who is currently on active duty in the United States Armed Forces or a member of the National Guard. In addition, the provisions of this section shall not apply to any person who is a resident landowner or a resident tenant, while hunting game other than deer or antelope, upon land owned or leased by the person. The provisions of this subsection shall not exempt nonresidents owning land in this state nor any person leasing land, for the purpose of hunting.

G. Any person convicted of violating the provisions of this section shall be punished by the imposition of a fine of not less than Fifty Dollars ($50.00) nor more than Two Hundred Dollars ($200.00) or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both fine and imprisonment.

Passed the House of Representatives the 11th day of May, 2011.

Presiding Officer of the House of Representatives

Passed the Senate the 13th day of April, 2011.

Presiding Officer of the Senate

**OFFICE OF THE GOVERNOR**

Received by the Governor this 16th

day of May, 20 11,

at 1:54 o'clock PM.

By: Jessica R Ryan

Approved by the Governor of the State of Oklahoma the 20th day of

May, 20 11, at 1:48 o'clock PM.

Governor of the State of Oklahoma

**OFFICE OF THE SECRETARY OF STATE**

Received by the Secretary of State this

20th day of May, 20 11,

at 3:54 o'clock P M.

By: Michelle R Day