An Act

ENROLLED HOUSE
BILL NO. 2868

By: Wallace of the House

and

Green of the Senate

An Act relating to wildlife; amending 29 O.S. 2021, Section 4-112, as amended by Section 1, Chapter 347, O.S.L. 2022 (29 O.S. Supp. 2022, Section 4-112), which relates to hunting licenses; modifying licenses authorization; and providing an effective date.

SUBJECT: Wildlife

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

SECTION 1. AMENDATORY 29 O.S. 2021, Section 4-112, as amended by Section 1, Chapter 347, O.S.L. 2022 (29 O.S. Supp. 2022, Section 4-112), is amended to read as follows:

Section 4-112. A. Except as otherwise provided for in the Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae Act, no person may hunt, pursue, trap, harass, catch, kill, take or attempt to take in any manner, use, have in possession, sell, or transport all or any portion of any wildlife except fish, without having first procured a license from the Department of Wildlife Conservation. The Wildlife Conservation Commission shall designate a consecutive Saturday and Sunday in September of each year as free hunting days in which residents of this state may hunt without first procuring a hunting license pursuant to the provisions of this section.

B. The following legal residents of Oklahoma shall be exempt from the annual hunting license requirement of paragraph 1 of subsection F of this section and the following nonresidents shall be exempt from the annual nonresident hunting licenses required pursuant to paragraphs 1 and 2 of subsection C of this section:

1. Legal residents under sixteen (16) years of age;

2. Legal residents sixty-five (65) years of age or older provided they have obtained a senior citizen lifetime hunting or combination hunting and fishing license pursuant to the provisions of Section 4-114 of this title;

3. Legal residents born on or before January 1, 1923;

4. Legal resident veterans having a disability of sixty percent (60%) or more;

5. Legal resident owners or tenants who hunt on land owned or leased by them;

6. Any nonresident under fourteen (14) years of age;

7. Legal residents having a proven disability which renders them nonambulatory and confines them to a wheelchair, as certified by a physician licensed in this state or in any state which borders this state;

8. Any legal resident or nonresident under eighteen (18) years of age who is in the physical custody of a child care facility as defined by Section 402 of Title 10 of the Oklahoma Statutes; and

9. Any legal resident or nonresident hunting, pursuing, trapping, harassing, catching, killing, taking, or attempting to take in any manner any species of rattlesnake during an organized rattlesnake-hunting event or festival and who has a rattlesnake permit issued pursuant to Section 4-143 of this title.

C. Except as otherwise provided for in the Oklahoma Wildlife Conservation Code, the nonresident hunting licenses issued pursuant to this section and the fee for each license shall be:

1. Annual hunting license for nonresidents hunting game other than deer, antelope, elk or bear which expires on December 31 of the year purchased - One Hundred Forty-one Dollars ($141.00). Nonresidents hunting big game, combination big game and upland game or exotic wildlife in a commercial hunting area shall be required to have this license;

2. Annual hunting license for nonresidents hunting game other than deer, antelope, elk or bear which expires on June 30 of the fiscal year purchased - One Hundred Seventy-five Dollars ($175.00).

Nonresidents hunting big game, combination big game and upland game or exotic wildlife in a commercial hunting area shall be required to have this license;

3. Gun hunting license for deer:

a. during deer gun seasons for youth nonresidents seventeen (17) years of age or younger which shall be valid for hunting one antlerless deer allowed during the current calendar year deer gun seasons - Thirty Dollars ($30.00),

b. during deer gun seasons for youth nonresidents seventeen (17) years of age or younger which shall be valid for hunting one antlered or antlerless deer allowed during the current calendar year deer gun seasons - Ninety-nine Dollars ($99.00), and

c. during deer gun seasons for nonresidents which shall be valid for hunting all deer allowed during the current calendar year deer gun season - Two Hundred Ninety-nine Dollars ($299.00);

4. Archery hunting license for deer for nonresidents which shall expire on January 15 of the calendar year after the year purchased or, if purchased during the deer archery season, it shall expire at the end of that deer archery season:

a. during deer archery seasons for youth nonresidents seventeen (17) years of age or younger which shall be valid for hunting one antlerless deer allowed during the current deer archery seasons - Thirty Dollars ($30.00),

b. during deer archery seasons for youth nonresidents seventeen (17) years of age or younger which shall be valid for hunting one antlered or antlerless deer allowed during the current deer archery seasons - Ninety-nine Dollars ($99.00), and

c. during deer archery seasons for nonresidents which shall be valid for hunting all deer allowed during the current deer archery season - Two Hundred Ninety-nine Dollars ($299.00);

5. Primitive firearms hunting license for deer for:

a. during deer primitive firearms seasons for youth nonresidents seventeen (17) years of age or younger which shall be valid for hunting one antlerless deer allowed during the current calendar year deer primitive firearms seasons - Thirty Dollars ($30.00),

b. during deer primitive firearms seasons for youth nonresidents seventeen (17) years of age or younger which shall be valid for hunting one antlered or antlerless deer allowed during the current calendar year deer primitive firearms seasons - Ninety-nine Dollars ($99.00), and

c. during deer primitive firearms seasons for nonresidents which shall be valid for hunting all deer allowed during the current calendar year deer primitive firearms season - Two Hundred Ninety-nine Dollars ($299.00);

6. Hunting license for antelope for nonresidents - Three Hundred Five Dollars ($305.00);

7. Hunting license for elk for nonresidents - Three Hundred Five Dollars ($305.00);

8. Five-day hunting license for nonresidents hunting game other than deer, antelope, elk, quail, turkey or bear - Seventy-four Dollars ($74.00). Nonresidents hunting big game, combination big game and upland game or exotic wildlife in a commercial hunting area shall be required to have this license; ~~and~~

9. Ten-day hunting license for nonresidents hunting small game in a commercial hunting area - Five Dollars ($5.00); and

10. Five-day hunting license for nonresidents hunting winged upland game, excluding wild turkey, in a commercial hunting area - Fifteen Dollars ($15.00).

D. The Department of Wildlife Conservation shall provide a report to both the President Pro Tempore of the Senate and the Speaker of the House of Representatives by February 1 of 2019 and 2020 setting forth information regarding licenses issued pursuant to paragraphs 3, 4 and 5 of subsection C of this section, which shall include, but not be limited to:

1. The number of licenses issued during the most recent respective deer hunting seasons; and

2. A fiscal analysis comparing revenue generated from the fees of the licenses issued during the most recent respective deer hunting seasons compared to previous years and whether the deer hunting license structure is beneficial to the Department.

E. Of the fees collected pursuant to the provisions of subsection C of this section:

1. Five Dollars ($5.00) of the license fee of each license issued pursuant to paragraphs 1 through 7 of subsection C of this section and Two Dollars and fifty cents ($2.50) of the license fee for each license issued pursuant to paragraph 8 of subsection C of this section shall be deposited in the Wildlife Land Acquisition Fund created pursuant to the provisions of Section 4-132 of this title; and

2. Five Dollars ($5.00) of the license fee for each license issued pursuant to paragraphs 1 through 8 of subsection C of this section shall be for the Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma Wildlife Land Fund created pursuant to the provisions of Section 4-141 of this title.

F. Except as otherwise provided, the resident hunting licenses issued pursuant to this section and the fee for each license shall be:

1. Annual hunting license for residents eighteen (18) years of age and older which expires on December 31 of the year purchased - Twenty-four Dollars ($24.00);

2. Annual hunting license for residents eighteen (18) years of age and older which expires on June 30 of the fiscal year purchased - Thirty-one Dollars ($31.00);

3. Annual hunting license for residents sixteen (16) or seventeen (17) years of age which expires on December 31 of the year purchased - Four Dollars ($4.00);

4. Annual hunting license for residents sixteen (16) or seventeen (17) years of age which expires on June 30 of the fiscal year purchased - Six Dollars ($6.00);

5. Ten-day hunting license for residents for small game in a commercial hunting area - Five Dollars ($5.00);

6. Five-year disability hunting license for residents of this state for at least six (6) months who are receiving Social Security Disability benefits, Supplemental Security Income benefits or disability benefits under the Railroad Retirement Act, 45 U.S.C.A., Section 231a, or residents who are one-hundred-percent disabled and are receiving disability payments from the Multiple Injury Trust Fund pursuant to Section 31 of Title 85A of the Oklahoma Statutes - Ten Dollars ($10.00);

7. Gun hunting license for deer for residents eighteen (18) years of age or older - Nineteen Dollars ($19.00). The following persons shall be exempt:

a. residents with proper certification from the United States Department of Veterans Affairs or its successor, certifying that the person is a disabled veteran in receipt of compensation at the one-hundred-percent rate, and

b. residents hunting in big game or combination big game and upland game commercial hunting areas;

8. Gun hunting license for deer for residents under eighteen (18) years of age - Nine Dollars ($9.00);

9. Archery hunting license for deer for residents eighteen (18) years of age or older - Nineteen Dollars ($19.00). The following persons shall be exempt:

a. residents with proper certification from the United States Department of Veterans Affairs or its successor, certifying that the person is a disabled veteran in receipt of compensation at the one-hundred-percent rate, and

b. residents hunting in big game or combination big game and upland game commercial hunting areas;

10. Archery hunting license for deer for residents under eighteen (18) years of age - Nine Dollars ($9.00);

11. Primitive firearms hunting license for deer for residents eighteen (18) years of age or older - Nineteen Dollars ($19.00). The following persons shall be exempt:

a. residents with proper certification from the United States Department of Veterans Affairs or its successor, certifying that the person is a disabled veteran in receipt of compensation at the one-hundred-percent rate, and

b. residents hunting in big game or combination big game and upland game commercial hunting areas;

12. Primitive firearms hunting license for deer for residents under eighteen (18) years of age - Nine Dollars ($9.00);

13. Hunting license for elk for residents - Fifty Dollars ($50.00). Residents hunting in big game or combination big game and upland game commercial hunting areas shall be exempt from this license;

14. Hunting license for antelope for residents - Fifty Dollars ($50.00). Residents hunting in big game or combination big game and upland game commercial hunting areas shall be exempt from this license; and

15. Bonus, special or additional gun hunting license for deer for residents - Nineteen Dollars ($19.00). The following persons shall be exempt:

a. residents with proper certification from the United States Department of Veterans Affairs or its successor, certifying that the person is a disabled veteran in receipt of compensation at the one-hundred-percent rate, and

b. residents hunting in big game or combination big game and upland game commercial hunting areas.

G. Residents hunting big game, combination big game and upland game or exotic wildlife in a commercial hunting area shall be required to have one of the following licenses:

1. An annual hunting license issued pursuant to paragraph 1, 2, 3 or 4 of subsection F of this section;

2. An annual hunting and fishing combination license issued pursuant to Section 4-113 of this title;

3. A five-year hunting license or five-year combination hunting and fishing license issued pursuant to Section 4-113.1 of this title; or

4. A lifetime hunting license or lifetime combination hunting and fishing license issued pursuant to Section 4-114 of this title.

H. Of the fees collected pursuant to the provisions of paragraphs 1 and 2 of subsection F of this section, Five Dollars ($5.00) of the license fee shall be for the Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma Wildlife Land Fund created pursuant to the provisions of Section 4-141 of this title.

I. The provisions of this section shall not be construed to require a hunting license, resident or nonresident, of any person merely because the person participates, as owner or handler of an entry, as an official, or as a spectator in the conduct of a field trial or performance test of dogs, whether a resident or nonresident of the State of Oklahoma. No license to hunt shall be required of any person engaged in training or working dogs, provided that person is in no way engaged in hunting and does not take or attempt to take in any manner any game.

J. 1. Any person arrested for hunting game other than deer, antelope, elk, bear or turkey without a valid hunting license as required by the provisions of subsection A of this section may purchase a substitute temporary thirty-day license from the arresting game warden in lieu of posting bond. Proof of hunter safety certification will not be required for the temporary substitute license. The fee for a substitute license purchased pursuant to the provisions of this subsection shall be:

a. for legal residents, Fifty Dollars ($50.00), and

b. for nonresidents, One Hundred Forty-five Dollars ($145.00).

2. Except as otherwise provided for by this subsection, the fees from licenses purchased pursuant to the provisions of this subsection shall be deposited in the Wildlife Conservation Fund to

be used exclusively for developing, managing, preserving, and protecting wildlife and wildlife habitat.

K. Any person producing proof in court that a current hunting license issued by the Department of Wildlife Conservation to that person was in force at the time of the alleged offense shall be entitled to dismissal of a charge of violating this section upon payment of court costs. If proof of a current hunting license issued by the Department to the person that was in force at the time of the alleged offense is presented to the court or district attorney within seventy-two (72) hours after the violation, the charge shall be dismissed without payment of court costs.

L. Unless a substitute license is purchased as provided for by subsection J of this section, any resident convicted of violating the provisions of this section shall be punished by the imposition of a fine of not less than Twenty-five Dollars ($25.00) 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.

M. Unless a substitute license is purchased as provided for by subsection J of this section, any nonresident convicted of violating the provisions of this section shall be punished by the imposition of a fine of not less than Two Hundred Dollars ($200.00) nor more than Five Hundred Dollars ($500.00), or by imprisonment in the county jail for a period not to exceed six (6) months, or by both.

SECTION 2. This act shall become effective November 1, 2023.

Passed the House of Representatives the 27th day of February, 2023.

Presiding Officer of the House of Representatives

Passed the Senate the 19th day of April, 2023.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 20th day of April, 2023, at 3:15 o'clock p. M.

By: [illegible]

Approved by the Governor of the State of Oklahoma this 26th day of April, 2023, at 1:24 o'clock p. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 26th day of April, 2023, at 2:41 o'clock P. M.

By: Brian Bingman