An Act

ENROLLED SENATE
BILL NO. 648

By: Bergstrom and Garvin of the Senate

and

Hardin of the House

An Act relating to feral swine; amending 29 O.S. 2021, Section 4-135, as amended by Section 1, Chapter 171, O.S.L. 2022 (29 O.S. Supp. 2022, Section 4-135), which relates to permits to control nuisance or damage by wildlife; removing provision for night hunting and requirement to prove certain exemption; and providing an effective date.

SUBJECT: Feral hogs

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

SECTION 1. AMENDATORY 29 O.S. 2021, Section 4-135, as amended by Section 1, Chapter 171, O.S.L. 2022 (29 O.S. Supp. 2022, Section 4-135), is amended to read as follows:

Section 4-135. A. The Department of Wildlife Conservation is authorized to issue permits to landowners, agricultural lessees, or their designated agents with written permission of the landowner or agricultural lessee and to any entity of state, county, or local government to control nuisance or damage by any species of wildlife including, but not limited to, beaver, coyote, deer, bobcat, raccoon and crow under rules promulgated by the Oklahoma Wildlife Conservation Commission. The permits may be issued without limitation by statewide season regulations, bag limits or methods of taking. A permitted landowner, agricultural lessee or a designated

agent with written permission of the landowner or agricultural lessee may, with a valid permit issued pursuant to this section, control the wildlife specified in this subsection and feral swine at night to protect marketable agricultural crops, livestock or processed feed, seed or other materials used in the production of an agricultural commodity.

B. Except as otherwise specified in this subsection, the permit to hunt at night shall be valid for a period of up to one (1) year from the date the permit was issued. ~~Landowners or agricultural lessees with a valid permit shall be required to have a current agricultural exemption permit issued by the Oklahoma Tax Commission~~.

C. Notwithstanding the provisions of Section 5-203.1 of this title, a landowner, agricultural lessee, or designated agent with written permission of the landowner and with a valid permit may use a headlight carried on the person while hunting at night. Nothing in this section shall authorize the use of a headlight mounted on a vehicle or the use of a headlight from a public roadway.

D. Any person who has been convicted of, or pled guilty to, a violation of Section 5-203.1 or Section 5-411 of this title within the previous three (3) years shall not be eligible to receive a permit pursuant to this section. The permit can be issued by the local game warden in the county for which the permit is to be used or by the Law Enforcement Division of the Department of Wildlife Conservation.

E. It shall be lawful for any private landowner or designated employee of the landowner or lessee to have a chamber-loaded firearm on property owned by the landowner, and to use the firearm for the purpose of controlling nuisance or damage by any wildlife or feral swine. Nothing in this section shall authorize any convicted felon to carry a firearm.

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

Passed the Senate the 2nd day of March, 2023.

Brent Howard
Presiding Officer of the Senate

Passed the House of Representatives the 25th day of April, 2023.

Ryan Martinez
Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 26th
day of April, 20 23, at 12:35 o'clock p. M.
By: Summer Curry

Approved by the Governor of the State of Oklahoma this 2nd
day of May, 20 23, at 9:39 o'clock a. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 2nd
day of May, 20 23, at 1:49 o'clock p M.
By: Brian Bingman