

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. 3

COMMITTEE AMENDMENT

(Date)

I move to amend Engrossed House Bill No. 2862, by the attached floor substitute (Request #2862) for the title, enacting clause, and entire body of the measure.

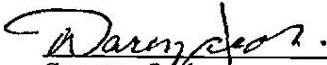
3658
-MR

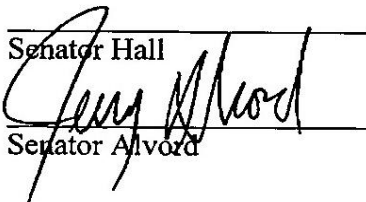
Submitted by:

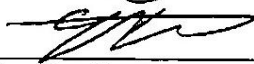

Senator Pederson

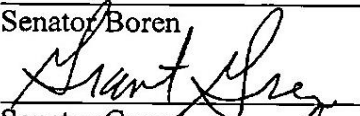
I hereby grant permission for the floor substitute to be adopted.

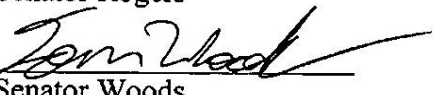

Senator Kidd, Chair (required)


Senator Jech

Senator Hall

Senator Alvord


Senator Paxton

Senator Boren

Senator Green

Senator Rogers

Senator Woods


Senator Hamilton

Senator Young

Senator Treat, President Pro Tempore

Senator McCortney, Majority Floor Leader

Note: Agriculture and Rural Affairs committee majority requires six (6) members' signatures.

Pederson-MR-FS-HB2862
3/25/2024 12:27 PM

(Floor Amendments Only)

Date and Time Filed: 3-25-24

4:26 pm 

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 2862

By: Wallace of the House

and

6 Pederson, Murdock, Green,
7 Rogers, Kidd, Alvord, Dahm,
8 Boren, Bergstrom, Woods,
9 Stanley, Standridge,
10 Paxton, and Hall of the
11 Senate

12 FLOOR SUBSTITUTE

13 [hunting - certificate of competency and safety -
14 age requirement - hunting guide license - rules for
15 licensure - penalties - codification - effective
16 date]

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

18 SECTION 1. AMENDATORY 29 O.S. 2021, Section 4-112A, is
19 amended to read as follows:

20 Section 4-112A. A. No person ~~thirty (30)~~ twenty (20) years of
21 age or younger may purchase or receive any hunting license or
22 hunting tag unless the person possesses and can exhibit a
23 certificate of competency and safety in the use and handling of
24 firearms from the Department of Wildlife Conservation. The
Department shall charge no fee for the issuance of certificates.

1 Persons under ten (10) years of age may take the hunter education
2 course but are not eligible to be tested for and receive hunter
3 safety certification. A hunter safety certificate issued by another
4 state or country and approved by the Department of Wildlife
5 Conservation shall be deemed to meet the requirements of this
6 section.

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

19 C. Persons under ~~thirty (30)~~ twenty-one (21) years of age who
20 do not possess a certificate of hunter safety may purchase or
21 receive any hunting license or permit which is required by law with
22 the designation apprentice listed on the hunter education line of
23 the license or permit. A person holding a license or permit with
24 the apprentice designation shall be allowed to hunt only if ~~they are~~

1 he or she is accompanied by a licensed hunter eighteen (18) years of
2 age or older who possesses a certificate of hunter safety or is
3 exempt from the hunter safety certification requirements or is
4 accompanied by a person exempt from the hunting license
5 requirements. In addition, all persons under ten (10) years of age,
6 when hunting big game, regardless of hunter safety certification,
7 shall be accompanied by a licensed hunter eighteen (18) years of age
8 or older who possesses a certificate of hunter safety or is exempt
9 from the hunter safety certification requirements or is accompanied
10 by a person exempt from the hunting license requirement. When
11 hunting big game, the accompanying hunter shall be within arm's
12 length of the apprentice hunter or close enough so that the
13 accompanying hunter can immediately take control of the firearm or
14 archery equipment of the apprentice hunter. When hunting small
15 game, the accompanying hunter shall be in sight of the apprentice
16 hunter and shall be able to communicate with the apprentice hunter
17 in a normal voice without the aid of any communication device.

18 D. Legal residents who do not possess a certificate of hunter
19 safety may purchase a lifetime hunting license or lifetime
20 combination hunting/fishing license with the designation apprentice
21 listed on the hunter education line of the license. A resident
22 holding a lifetime license with the apprentice designation shall be
23 allowed to hunt only if ~~they comply~~ he or she complies with the
24 accompanying hunter requirements as set forth in subsection C of

1 this section. Upon obtaining a certificate of hunter safety, a
2 resident holding a lifetime license with the apprentice designation
3 shall be entitled to renew ~~their~~ his or her license without the
4 apprentice designation.

5 E. No nonresident may purchase and receive a hunting guide
6 license or no resident may register as a hunting guide pursuant to
7 Section 2 of this act unless the nonresident or resident possesses
8 and can exhibit a certificate of competency and safety in the use
9 and handling of firearms from the Department of Wildlife
10 Conservation. The Department shall charge no fee for the issuance
11 of this certificate. A hunter safety certificate issued by another
12 state or country and approved by the Department of Wildlife
13 Conservation shall be deemed to meet the requirements of this
14 section for a nonresident. The exemption provided in subsection G
15 of this section shall not apply to nonresidents seeking to purchase
16 and receive a hunting guide license.

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

20 ~~F. The~~

21 G. Except as provided in subsection E of this section, the
22 provisions of this section shall not apply to any person who has an
23 honorable discharge from the United States Armed Forces, who is
24 currently on active duty in the United States Armed Forces or a

1 member of the National Guard. In addition, the provisions of this
2 section shall not apply to any person who is a resident landowner or
3 a resident tenant, while hunting game other than deer or antelope,
4 upon land owned or leased by the person. The provisions of this
5 subsection shall not exempt nonresidents owning land in this state
6 nor any person leasing land, for the purpose of hunting.

7 ~~G.~~ H. Any person convicted of violating the provisions of this
8 section shall be punished by the imposition of a fine of not less
9 than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars
10 (\$200.00) or by imprisonment in the county jail for a period not to
11 exceed thirty (30) days, or by both fine and imprisonment.

12 SECTION 2. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 4-112B of Title 29, unless there
14 is created a duplication in numbering, reads as follows:

15 A. Except as otherwise provided in the Oklahoma Wildlife
16 Conservation Code, no:

17 1. Nonresident shall assist, accompany, transport, guide,
18 outfit, or aid persons in the taking of game for compensation or
19 other consideration in this state without having first procured a
20 license specified in subsection B of this section from the Director
21 of Wildlife Conservation or from any of the authorized agents of the
22 Department of Wildlife Conservation; and

23 2. Resident shall assist, accompany, transport, guide, outfit,
24 or aid persons in the taking of game for compensation or other

1 consideration in this state without having first registered as a
2 hunting guide with the Director of Wildlife Conservation or from any
3 of the authorized agents of the Department.

4 B. The Department shall promulgate rules for a hunting guide
5 license for nonresidents who assist, accompany, transport, guide,
6 outfit, or aid persons in the taking of game for compensation or
7 other consideration. All nonresidents making application for a
8 hunting guide license or residents registering to be a hunting guide
9 in this state shall:

10 1. Be eighteen (18) years of age or older;

11 2. Be able to produce a valid license to operate a motor
12 vehicle or other positive proof of identification, age, and
13 residency, and any such license issued shall show such data as well
14 as the date and time of issuance; and

15 3. Receive a certificate of competency and safety in the use
16 and handling of firearms pursuant to subsection E of Section 4-112A
17 of Title 29 of the Oklahoma Statutes.

18 C. The fee for a license under this section shall be
19 promulgated by the Director.

20 D. The provisions of this section shall not:

21 1. Apply to landowners who provide such services on properties
22 they own or lease;

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1 2. Exempt a nonresident procuring a hunting guide license or
2 resident registering to be a hunting guide pursuant to this section
3 from any other hunting licenses as required by law;

4 3. Allow a license holder to conduct guide business on any land
5 publicly owned or managed by the Department of Wildlife Conservation
6 or the Oklahoma Tourism and Recreation Department;

7 4. Apply to lessees of rural land who provide such services on
8 properties leased by such individuals as a farming or ranching
9 business pursuant to Section 951 of Title 18 of the Oklahoma
10 Statutes or, if they have indicated to the landowner or lessor, the
11 primary use of the leased land is agricultural; and

12 5. Apply to lessees of land leased from the Commissioners of
13 the Land Office who may contract with a resident hunting guide to
14 provide hunting guide services on the leased land. No nonresident
15 hunting guide shall directly, or indirectly, provide hunting guide
16 services on land pursuant to this paragraph.

17 E. Any individual issued a hunting guide license by the
18 Department or any individual registered as a hunting guide pursuant
19 to this section shall, upon conviction of violating the provisions
20 of this section or any rule by the Department, have his or her
21 license immediately revoked and shall be punished by a fine not more
22 than Two Thousand Dollars (\$2,000.00). The revocation shall be for
23 a period set by the court not less than one (1) year nor more than
24 ten (10) years. If the court does not issue a period of revocation,

1 the revocation shall be for one (1) year from the date of the
2 conviction. During the period of revocation, the Department shall
3 not issue the individual a hunting guide license nor can the
4 individual register as a hunting guide with the Department. For
5 purposes of this section, "conviction" shall mean a plea of guilty
6 or nolo contendere, the imposition of a deferred or suspended
7 sentence by a court, or forfeiture of bond.

8 SECTION 3. This act shall become effective November 1, 2024.

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10 59-2-3658 MR 3/25/2024 4:40:29 PM

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