

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1565

By: Biggs

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5
6 AS INTRODUCED

7 An Act relating to game and fish; amending 29 O.S.
8 2011, Section 4-101, as amended by Section 1,
9 Chapter 341, O.S.L. 2013 (29 O.S. Supp. 2014, Section
10 4-101), which relates to license usage; clarifying
11 statutory language; and declaring an emergency.

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

13 SECTION 1. AMENDATORY 29 O.S. 2011, Section 4-101, as
14 amended by Section 1, Chapter 341, O.S.L. 2013 (29 O.S. Supp. 2014,
15 Section 4-101), is amended to read as follows:

16 Section 4-101. A. All licenses and permits issued by the
17 Director of Wildlife Conservation, the Department of Wildlife
18 Conservation or by any of its agents shall be used only in
19 conformity with the provisions of this title and the rules
20 promulgated by the Oklahoma Wildlife Conservation Commission.

21 B. All persons making application for any licenses required by
22 this section shall produce a valid license to operate a motor
23 vehicle or other positive proof of identification, age and
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1 residency, and any ~~such~~ license issued shall show such data as well
2 as the date and time of issuance.

3 C. All licenses are nontransferable. No person shall alter,
4 change, lend or transfer any license. No person shall use or borrow
5 a license which has not been issued to that person by the Director,
6 the Department or by any of its agents pursuant to the provisions of
7 this section.

8 D. No person may engage in activities requiring a license
9 without that person's carrying ~~such~~ the license on their person and
10 producing the same for an inspection upon the demand of any Oklahoma
11 citizen or game warden.

12 E. Any person required to produce a license ~~must~~ shall also
13 identify themselves as the person to whom ~~such~~ the license was
14 issued, and failure or refusal to comply shall be deemed prima facie
15 evidence of a violation of this section.

16 F. Unless otherwise provided in this Code:

17 1. Hunting licenses issued pursuant to paragraph 1 of
18 subsection C and paragraphs 1 and 3 of subsection E of Section 4-112
19 of this title and paragraphs 1 and 3 of subsection B of Section 4-
20 113 of this title shall expire on December 31 of the year issued.
21 Hunting licenses issued pursuant to paragraph 2 of subsection C and
22 paragraphs 2 and 4 of subsection E of Section 4-112 of this title
23 and paragraphs 2 and 4 of subsection B of Section 4-113 of this
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1 title shall expire on June 30 of the fiscal year issued. All other
2 licenses shall terminate December 31 for the year issued; and

3 2. Any person convicted of violating any of the provisions of
4 this title may have any or all licenses held by that person or the
5 privilege of applying for, purchasing or exercising the benefits
6 conferred by the licenses revoked by the Department in accordance
7 with rules promulgated by the Commission or by a court of competent
8 jurisdiction for a period of not less than one (1) year. For
9 purposes of this paragraph, a court conviction, a plea of guilty, a
10 plea of nolo contendere, the imposition of a deferred or suspended
11 sentence by a court, or forfeiture of bond shall be deemed a
12 conviction.

13 G. Should any license or permit issued pursuant to Part 1 of
14 Article IV of this title be lost or destroyed, duplicates will be
15 issued by the Department at a fee of One Dollar and fifty cents
16 (\$1.50).

17 H. Upon harvesting any whitetail or mule deer, or any other
18 wildlife where the hunter, according to Commission rules, is
19 required to check the wildlife in at a Department check station, the
20 taker of the wildlife shall:

21 1. Securely attach the name of the taker, time of harvest, date
22 of harvest and license number to the carcass of the wildlife;

23 2. Check in the carcass of the wildlife electronically using
24 the online check station provided on the official website of the

1 Oklahoma Department of Wildlife Conservation or as prescribed by
2 rule of the Commission, within twenty-four (24) hours of leaving the
3 hunt area and in all cases prior to processing the carcass; and

4 3. Not remove evidence of the sex of the animal until after the
5 carcass of the animal has been checked in.

6 I. It shall be unlawful for any license or permit holder to
7 knowingly make a false statement or give false information to any
8 authorized hunter check station or to an authorized Department
9 employee when complying with the provisions of subsection H of this
10 section. Information which may be collected at a Department check
11 station shall include but not be limited to the name, address,
12 license or permit number and signature of the taker, the date, time,
13 county, method or weapon of the kill, sex and weight of carcass,
14 whether or not the animal was taken on public hunting land and if so
15 in what area, or any other information which may be required by the
16 Commission.

17 J. 1. Any person convicted of violating the provisions of this
18 section or of making a false statement or giving any false
19 information in order to acquire any license or permit, pursuant to
20 the provisions of this section, shall be punishable by a fine of not
21 less than One Hundred Dollars (\$100.00) nor more than Two Hundred
22 Fifty Dollars (\$250.00), or by imprisonment in the county jail for a
23 period not to exceed ten (10) days, or by both such fine and
24 imprisonment. Any person convicted of a second or subsequent

1 violation of the provisions of this section or of making a false
2 statement or giving any false information in order to acquire any
3 license or permit, pursuant to the provisions of this section, shall
4 be punishable by a fine of not less than Two Hundred Fifty Dollars
5 (\$250.00) nor more than Seven Hundred Fifty Dollars (\$750.00), or by
6 imprisonment in the county jail for a period not to exceed ten (10)
7 days, or by both such fine and imprisonment.

8 2. Any hunting or fishing license issued to a person by the
9 Department of Wildlife Conservation shall be automatically revoked
10 upon conviction of the person of violating the provisions of this
11 section. The revocation shall be for a period set by the court of
12 not less than one (1) year nor more than ten (10) years. If the
13 court does not set a period, the revocation shall be for one (1)
14 year from the date of the conviction. During this period of
15 revocation, the Department shall not issue the person a hunting or
16 fishing license. If the court does not set a revocation period, the
17 Department shall not issue that person a license within one (1) year
18 of the conviction of the person pursuant to this section. A person
19 who has a license or permit revoked pursuant to this section shall
20 surrender the revoked license or permit to the court. The court
21 shall send the Department of Wildlife Conservation the revoked
22 license and a copy of the judgment of conviction. For purposes of
23 this section, "conviction" shall include a plea of guilty or nolo
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1 | contendere to an offense or the imposition of deferred adjudication
2 | for an offense.

3 | K. Any person who has had their license privileges revoked
4 | shall not be entitled to purchase, apply for, or exercise the
5 | benefits conferred by any license until the revocation period has
6 | expired or the person has obtained approval from the Director. Any
7 | person violating the provisions of this subsection, upon conviction,
8 | shall be punished by a fine of not more than Five Hundred Dollars
9 | (\$500.00), or by imprisonment in a county jail for a term of not
10 | more than ninety (90) days or by both the fine and imprisonment.
11 | Upon conviction under this subsection, the previously granted
12 | license revocation period shall be extended by two (2) additional
13 | years.

14 | SECTION 2. It being immediately necessary for the preservation
15 | of the public peace, health and safety, an emergency is hereby
16 | declared to exist, by reason whereof this act shall take effect and
17 | be in full force from and after its passage and approval.

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19 | 55-1-5606 KB 01/18/15

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