

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2031

By: Cornwell

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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, Chapter  
9 341, O.S.L. 2013 (29 O.S. Supp. 2018, Section 4-101),  
10 which relates to licenses and permits; eliminating  
11 certain duplicative license or permit fee; and  
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 29 O.S. 2011, Section 4-101, as  
15 amended by Section 1, Chapter 341, O.S.L. 2013 (29 O.S. Supp. 2018,  
16 Section 4-101), is amended to read as follows:

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

22 B. All persons making application for any licenses required by  
23 this section shall produce a valid license to operate a motor  
24 vehicle or other positive proof of identification, age and

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

16 F. Unless otherwise provided in ~~this~~ the Oklahoma Wildlife  
17 Conservation Code:

18 1. Hunting licenses issued pursuant to paragraph 1 of  
19 subsection C and paragraphs 1 and 3 of subsection E of Section 4-112  
20 of this title and paragraphs 1 and 3 of subsection B of Section 4-  
21 113 of this title shall expire on December 31 of the year issued.  
22 Hunting licenses issued pursuant to paragraph 2 of subsection C and  
23 paragraphs 2 and 4 of subsection E of Section 4-112 of this title  
24 and paragraphs 2 and 4 of subsection B of Section 4-113 of this

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 ~~F.~~ H. 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~~ G of  
10 this section. Information which may be collected at a Department  
11 check 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 ~~F.~~ I. 1. Any person convicted of violating the provisions of  
18 this 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  
24

1 | contendere to an offense or the imposition of deferred adjudication  
2 | for an offense.

3 |     ~~K.~~ J. 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. This act shall become effective November 1, 2019.

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16 |     57-1-6918           AMM       01/15/19

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