

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2031

By: Cornwell

7
8 COMMITTEE SUBSTITUTE

9
10 An Act relating to game and fish; amending 29 O.S.
11 2011, Sections 4-101, as amended by Section 1,
12 Chapter 341, O.S.L. 2013, 4-113.1 and 4-114, as
13 amended by Section 1, Chapter 112, O.S.L. 2014 (29
14 O.S. Supp. 2018, Sections 4-101 and 4-114), which
15 relate to licenses and permits; modifying reference
16 to certain replacement licenses and permits; reducing
17 fee for certain replacement licenses and permits; and
18 providing an effective date.

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

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

23 Section 4-101. A. All licenses and permits issued by the
24 Director of Wildlife Conservation, the Department of Wildlife
25 Conservation or by any of its agents shall be used only in

1 conformity with the provisions of this title and the rules
2 promulgated by the Oklahoma Wildlife Conservation Commission.

3 B. All persons making application for any licenses required by
4 this section shall produce a valid license to operate a motor
5 vehicle or other positive proof of identification, age and
6 residency, and any such license issued shall show such data as well
7 as the date and time of issuance.

8 C. All licenses are nontransferable. No person shall alter,
9 change, lend or transfer any license. No person shall use or borrow
10 a license which has not been issued to that person by the Director,
11 the Department or by any of its agents pursuant to the provisions of
12 this section.

13 D. No person may engage in activities requiring a license
14 without that person's carrying such license on their person and
15 producing the same for an inspection upon the demand of any Oklahoma
16 citizen or game warden.

17 E. Any person required to produce a license must also identify
18 themselves as the person to whom such license was issued, and
19 failure or refusal to comply shall be deemed prima facie evidence of
20 a violation of this section.

21 F. Unless otherwise provided in ~~this~~ the Oklahoma Wildlife
22 Conservation Code:

23 1. Hunting licenses issued pursuant to paragraph 1 of
24 subsection C and paragraphs 1 and 3 of subsection E of Section 4-112

1 of this title and paragraphs 1 and 3 of subsection B of Section 4-
2 113 of this title shall expire on December 31 of the year issued.
3 Hunting licenses issued pursuant to paragraph 2 of subsection C and
4 paragraphs 2 and 4 of subsection E of Section 4-112 of this title
5 and paragraphs 2 and 4 of subsection B of Section 4-113 of this
6 title shall expire on June 30 of the fiscal year issued. All other
7 licenses shall terminate December 31 for the year issued; and

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

18 G. Should any license or permit issued pursuant to Part 1 of
19 Article IV of this title be lost or destroyed, ~~duplicates~~
20 replacements will be issued by the Department at a fee of One Dollar
21 and fifty cents (\$1.50).

22 H. Upon harvesting any whitetail or mule deer, or any other
23 wildlife where the hunter, according to Commission rules, is
24

1 required to check the wildlife in at a Department check station, the
2 taker of the wildlife shall:

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

5 2. Check in the carcass of the wildlife electronically using
6 the online check station provided on the official website of the
7 Oklahoma Department of Wildlife Conservation or as prescribed by
8 rule of the Commission, within twenty-four (24) hours of leaving the
9 hunt area and in all cases prior to processing the carcass; and

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

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

23 J. 1. Any person convicted of violating the provisions of this
24 section or of making a false statement or giving any false

1 information in order to acquire any license or permit, pursuant to
2 the provisions of this section, shall be punishable by a fine of not
3 less than One Hundred Dollars (\$100.00) nor more than Two Hundred
4 Fifty Dollars (\$250.00), or by imprisonment in the county jail for a
5 period not to exceed ten (10) days, or by both such fine and
6 imprisonment. Any person convicted of a second or subsequent
7 violation of the provisions of this section or of making a false
8 statement or giving any false information in order to acquire any
9 license or permit, pursuant to the provisions of this section, shall
10 be punishable by a fine of not less than Two Hundred Fifty Dollars
11 (\$250.00) nor more than Seven Hundred Fifty Dollars (\$750.00), or by
12 imprisonment in the county jail for a period not to exceed ten (10)
13 days, or by both such fine and imprisonment.

14 2. Any hunting or fishing license issued to a person by the
15 Department of Wildlife Conservation shall be automatically revoked
16 upon conviction of the person of violating the provisions of this
17 section. The revocation shall be for a period set by the court of
18 not less than one (1) year nor more than ten (10) years. If the
19 court does not set a period, the revocation shall be for one (1)
20 year from the date of the conviction. During this period of
21 revocation, the Department shall not issue the person a hunting or
22 fishing license. If the court does not set a revocation period, the
23 Department shall not issue that person a license within one (1) year
24 of the conviction of the person pursuant to this section. A person

1 who has a license or permit revoked pursuant to this section shall
2 surrender the revoked license or permit to the court. The court
3 shall send the Department of Wildlife Conservation the revoked
4 license and a copy of the judgment of conviction. For purposes of
5 this section, "conviction" shall include a plea of guilty or nolo
6 contendere to an offense or the imposition of deferred adjudication
7 for an offense.

8 K. Any person who has had their license privileges revoked
9 shall not be entitled to purchase, apply for, or exercise the
10 benefits conferred by any license until the revocation period has
11 expired or the person has obtained approval from the Director. Any
12 person violating the provisions of this subsection, upon conviction,
13 shall be punished by a fine of not more than Five Hundred Dollars
14 (\$500.00), or by imprisonment in a county jail for a term of not
15 more than ninety (90) days or by both the fine and imprisonment.
16 Upon conviction under this subsection, the previously granted
17 license revocation period shall be extended by two (2) additional
18 years.

19 SECTION 2. AMENDATORY 29 O.S. 2011, Section 4-113.1, is
20 amended to read as follows:

21 Section 4-113.1 A. All legal residents who have resided in the
22 state for at least six (6) months may purchase five-year fishing
23 licenses, five-year hunting licenses or five-year combination
24

1 hunting/fishing licenses from the State Wildlife Conservation
2 Director.

3 B. The fee for these licenses shall be:

4 1. Five-year fishing license, Seventy-five Dollars (\$75.00);

5 2. Five-year hunting license, Seventy-five Dollars (\$75.00);

6 and

7 3. Five-year combination hunting/fishing license, One Hundred
8 Thirty-five Dollars (\$135.00).

9 C. The use of the licenses provided in this section is subject
10 to those restrictions provided by statute and the regulations of the
11 Wildlife Conservation Commission.

12 D. Should any lifetime license be lost or destroyed, a
13 ~~duplicate replacement~~ will be issued by the Department of Wildlife
14 Conservation for a fee of ~~Five Dollars (\$5.00)~~ One Dollar and fifty
15 cents (\$1.50).

16 E. A five-year licensee shall not lose the privileges of such
17 license by a subsequent transfer of residency.

18 F. 1. In addition to the fees imposed pursuant to subsection B
19 of this section, a person purchasing a five-year fishing, hunting or
20 combination license shall be required to purchase a five-year
21 Oklahoma Wildlife Land Stamp. Each person shall have the stamp in
22 their possession while hunting, fishing, or taking any wildlife.
23 The fee for the five-year Oklahoma Wildlife Land Stamp shall be
24

1 Twelve Dollars (\$12.00). The fee for the stamp shall be distributed
2 as follows:

3 a. Ten Dollars (\$10.00) from each stamp shall be
4 deposited in the Oklahoma Wildlife Land Fund, created
5 in Section 4-141 of Title 29 of the Oklahoma Statutes,
6 to be used to retire the obligations and related
7 expenses as authorized pursuant to Section 168.9 of
8 Title 73 of the Oklahoma Statutes or to purchase,
9 lease, or purchase easements on real property to be
10 used as public hunting, fishing, and trapping areas,
11 and

12 b. Two Dollars (\$2.00) from each stamp shall be deposited
13 in the Oklahoma Wildlife Land Fund, created in Section
14 4-141 of Title 29 of the Oklahoma Statutes, to be used
15 by the Commission for management of the real property
16 acquired pursuant to Section 168.9 of Title 73 of the
17 Oklahoma Statutes or acquired with proceeds from the
18 Oklahoma Wildlife Land Stamp fee.

19 2. The Oklahoma Wildlife Conservation Commission shall
20 prescribe, by rule, the form, design, and manner of issuance of the
21 five-year Oklahoma Wildlife Land Stamp.

22 3. Within one (1) year of the final retirement, redemption, or
23 defeasance of the obligations created pursuant to Section 168.9 of
24 Title 73 of the Oklahoma Statutes, the five-year Oklahoma Wildlife

1 Land Stamp and five-year Oklahoma Wildlife Land Stamp fee
2 requirements provided for in this subsection shall terminate.

3 SECTION 3. AMENDATORY 29 O.S. 2011, Section 4-114, as
4 amended by Section 1, Chapter 112, O.S.L. 2014 (29 O.S. Supp. 2018,
5 Section 4-114), is amended to read as follows:

6 Section 4-114. A. All legal residents who have resided in the
7 state for at least six (6) months and intend to remain residents may
8 purchase lifetime fishing licenses, lifetime hunting licenses or
9 lifetime combination hunting and fishing licenses from the State
10 Wildlife Conservation Director.

11 B. The fee for these licenses shall be:

12 1. Lifetime fishing license, Two Hundred Dollars (\$200.00);

13 2. Lifetime hunting license, Six Hundred Dollars (\$600.00);

14 3. Lifetime combination hunting and fishing license, Seven
15 Hundred Fifty Dollars (\$750.00);

16 4. Senior citizen lifetime hunting license for persons sixty-
17 five (65) years of age or older, Fifteen Dollars (\$15.00);

18 5. Senior citizen lifetime fishing license for persons sixty-
19 five (65) years of age or older, Fifteen Dollars (\$15.00); and

20 6. Senior citizen lifetime combination hunting and fishing
21 license for persons sixty-five (65) years of age or older, Twenty-
22 five Dollars (\$25.00).

23 C. Legal resident having proper certification from the United
24 States Department of Veterans Affairs or its successor certifying

1 that the person is a disabled veteran may purchase a disability
2 lifetime combination hunting and fishing license from the State
3 Wildlife Conservation Director. The fees for the license shall be
4 as follows:

5 1. Two Hundred Dollars (\$200.00) for veterans having a
6 disability of less than sixty percent (60%); and

7 2. Twenty-five Dollars (\$25.00) for veterans having a
8 disability of sixty percent (60%) or more.

9 D. The use of the licenses provided in this section are subject
10 to those restrictions provided by statute and the regulations of the
11 Wildlife Conservation Commission. Except as otherwise provided for
12 in this section, each lifetime hunting license issued pursuant to
13 subsections B and C of this section shall be in lieu of all annual
14 hunting licenses and all special season permits.

15 E. Should any lifetime license be lost or destroyed, a
16 ~~duplicate replacement~~ replacement will be issued by the Department of Wildlife
17 Conservation for a fee of ~~Ten Dollars (\$10.00)~~ One Dollar and fifty
18 cents (\$1.50).

19 F. A lifetime licensee shall not lose the privileges of such
20 license by a subsequent transfer of residency.

21 G. 1. In addition to the fees imposed pursuant to paragraphs 1
22 through 3 of subsection B of this section, a person purchasing a
23 lifetime fishing, hunting or combination license, excluding a senior
24 citizen lifetime hunting, fishing or combination hunting and fishing

1 license issued pursuant to paragraphs 4 through 6 of subsection B of
2 this section and a disability lifetime combination hunting and
3 fishing license issued pursuant to subsection C of this section,
4 shall be required to purchase a Lifetime Oklahoma Wildlife Land
5 Stamp. Each person shall have the stamp in their possession while
6 hunting, fishing, or taking any wildlife. The fee for the Lifetime
7 Oklahoma Wildlife Land Stamp shall be Twenty-five Dollars (\$25.00).
8 The fee for the stamp shall be distributed as follows:

9 a. Twenty Dollars (\$20.00) from each stamp shall be
10 deposited in the Oklahoma Wildlife Land Fund, created
11 in Section 4-141 of this title, to be used to retire
12 the obligations and related expenses as authorized
13 pursuant to Section 168.9 of Title 73 of the Oklahoma
14 Statutes or to purchase, lease, or purchase easements
15 on real property to be used as public hunting,
16 fishing, and trapping areas, and

17 b. Five Dollars (\$5.00) from each stamp shall be
18 deposited in the Oklahoma Wildlife Land Fund, created
19 in Section 4-141 of this title, to be used by the
20 Commission for management of the real property
21 acquired pursuant to Section 168.9 of Title 73 of the
22 Oklahoma Statutes or acquired with proceeds from the
23 Oklahoma Wildlife Land Stamp fee.

24

1 2. The Oklahoma Wildlife Conservation Commission shall
2 prescribe, by rule, the form, design, and manner of issuance of the
3 Lifetime Oklahoma Wildlife Land Stamp.

4 3. Within one (1) year of the final retirement, redemption, or
5 defeasance of the obligations created pursuant to Section 168.9 of
6 Title 73 of the Oklahoma Statutes, the Lifetime Oklahoma Wildlife
7 Land Stamp and Lifetime Oklahoma Wildlife Land Stamp fee
8 requirements provided for in this subsection shall terminate.

9 H. A person who is sixty-four (64) years of age shall be
10 eligible to purchase a senior citizen lifetime license issued
11 pursuant to paragraphs 4 through 6 of subsection B of this section
12 during the calendar year in which the person turns sixty-five (65)
13 years of age.

14 I. The fee for a lifetime fishing license, a lifetime hunting
15 license, or a lifetime combination hunting and fishing license
16 issued pursuant to paragraphs 1 through 3 of subsection B of this
17 section for a legal resident under eighteen (18) years of age may be
18 paid for by installments not to exceed a three-year period of time
19 and in a manner determined by the Director. The lifetime license
20 shall not be issued and become valid until full payment is received
21 by the Department of Wildlife Conservation. If the entire amount of
22 the license fee is not received within three (3) years from the date
23 the application for installment payments is submitted to the
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1 Department, all funds received shall be forfeited and shall not be
2 refunded.

3 SECTION 4. This act shall become effective November 1, 2019.
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5 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 02/14/2019 - DO
6 PASS, As Amended.
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