

An Act

ENROLLED HOUSE
BILL NO. 2917

By: Coody of the House

and

Boggs of the Senate

An Act relating to game and fish; amending 29 O.S. 2011, Section 2-138, as amended by Section 1, Chapter 353, O.S.L. 2017 (29 O.S. Supp. 2017, Section 2-138), which relates to definition of resident; modifying definition; and providing an effective date.

SUBJECT: Game and fish

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

SECTION 1. AMENDATORY 29 O.S. 2011, Section 2-138, as amended by Section 1, Chapter 353, O.S.L. 2017 (29 O.S. Supp. 2017, Section 2-138), is amended to read as follows:

Section 2-138. "Resident" is any individual who has an established bona fide or actual residence in Oklahoma for a period of not less than sixty (60) consecutive days immediately preceding the date the application for a license, permit, stamp, or any other issue of the Department is submitted. The burden of establishing proof of residency shall be on the person claiming residency status. A person holding a valid driver license or permit to operate a motor vehicle shall be deemed to be a resident of the state issuing the license or permit. For a valid Oklahoma driver license to be used as the sole source of proof of residency, it shall have been issued not less than sixty (60) days prior to submission of the application. If a person does not hold a valid ~~Oklahoma~~ driver license, the Department may consider other reliable documentation for establishing proof of residency including, but not limited to, property tax receipts, resident income tax returns, voter registration, motor vehicle or vessel registrations, and other

public records documenting residence. Residency status of children under eighteen (18) years of age is presumed to be that of the custodial parent, including a custodial parent when there is a joint custody order and the physical custody of the child is shared by both parents, or legal guardian unless otherwise documented. Ownership or possession of real property in the state by a person residing outside the state shall not qualify the person as a resident. A person shall not be entitled to claim multiple states of residence, except as follows:

1. A person who is not otherwise a resident of the state and is a member of the Armed Forces of the United States and is on active duty and permanently assigned to a military installation located in the state shall be eligible to qualify as a resident if the person presents with the license application a certificate of assignment in the state from a commanding officer or designated representative. A spouse or dependent of the person who is not otherwise a resident of the state, is living within the same household and is similarly certified by a commanding officer, shall also be eligible to qualify as a resident;

2. The residency of a person shall not terminate upon entering the Armed Forces of the United States. A member of the Armed Forces of the United States on active duty, and any dependents of the member, is presumed to retain residency status in the state for purposes of purchasing any annual license issued by the Department of Wildlife Conservation as long as the member is on active duty as verified by valid military documentation; and

3. The residency status of any person, excluding a member of the Armed Forces of the United States while on active duty as verified by valid military documentation and any dependents of the member, shall terminate if the person obtains any resident hunting, fishing, trapping license or permit or valid driver license issued by another state.

SECTION 2. This act shall become effective November 1, 2018.

Passed the House of Representatives the 6th day of March, 2018.

Presiding Officer of the House
of Representatives

Passed the Senate the 10th day of April, 2018.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____