

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 1458

6 By: Silk

7 COMMITTEE SUBSTITUTE

8 An Act relating to game; amending 29 O.S. 2011,
9 Section 5-203.1, which relates to headlighting;
10 clarifying statutory language; updating statutory
11 language; modifying punishment for headlighting deer;
12 and providing an effective.

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

14 SECTION 1. AMENDATORY 29 O.S. 2011, Section 5-203.1, is
15 amended to read as follows:

16 Section 5-203.1. A. No person ~~may attempt to take, take,~~
17 ~~attempt to catch, catch, attempt to capture, capture, attempt to~~
18 ~~kill, or kill~~ shall take, catch, capture, kill or attempt to take,
19 catch, capture or kill any deer, feral animal or other wildlife
20 except fish and frogs by the use of a vehicle mounted spotlight or
21 other powerful light at night, by what is commonly known as
22 "headlighting". Provided, however, nothing in this section shall
23 prevent one from possessing a .22 caliber rimfire rifle or .22
24 pistol and a light carried while in pursuit of furbearers with

1 hounds during the legal, open furbearers season, while possessing a
2 valid hunting license.

3 B. Any person may use a shotgun, using No. 6 size shot or
4 smaller, longbow, light and a call for the purpose of hunting
5 predatory animals, provided that written permission is obtained from
6 the local game warden for each twenty-four-hour period of hunting.

7 C. It shall be illegal to hunt from a boat with a firearm from
8 sunset until one-half (1/2) hour before sunrise. This shall not
9 pertain to hunting of waterfowl enroute from bank to blind with
10 unloaded shotguns.

11 D. Except as otherwise provided for in this section, no person
12 ~~may harass, attempt to capture, capture, attempt to take or take,~~
13 ~~kill or attempt to kill~~ shall harass, capture, take, kill or attempt
14 to capture, take or kill any wildlife with the aid of any motor-
15 driven land, air or water conveyance. A nonambulatory person may
16 hunt from ~~said~~ the conveyances with written permission of the
17 Director of Wildlife Conservation. A person may hunt from an air
18 conveyance if issued a permit pursuant to Section ~~4~~ 4-107.2 of this
19 ~~act~~ title. Nothing in this section shall prevent the use of motor-
20 driven land or water conveyances for following dogs in the act of
21 hunting, when use is restricted to public roads or waterways.
22 Motor-driven land or water conveyances may be used on private
23 property for following dogs in the act of hunting with the
24 permission of the landowner or occupant.

1 E. Employees of the Oklahoma Department of Agriculture, Food,
2 and Forestry Wildlife Services Division and the United States
3 Department of Agriculture Wildlife Services while engaged in
4 wildlife management activities for the protection of agriculture,
5 property, human health and safety and natural resources shall be
6 exempt from the provisions of this section.

7 F. Any Except as otherwise provided for in subsection G of this
8 section, any person convicted of violating the provisions of this
9 section shall be guilty of a misdemeanor and shall be punished by a
10 fine of not less than Two Hundred Fifty Dollars (\$250.00) for a
11 first offense and not less than Five Hundred Dollars (\$500.00) for a
12 second offense or by imprisonment in the county jail for not less
13 than ten (10) days nor more than one (1) year, or by confiscation
14 pursuant to Section 5-402 of this title or by such fine,
15 imprisonment and confiscation.

16 G. Any person convicted of killing any deer pursuant to
17 subsection A of this section shall be punished:

18 1. For the first offense, by a fine of Three Thousand Dollars
19 (\$3,000.00) and a revocation and prohibition of hunting and fishing
20 license privileges for the remainder of the calendar year and one
21 subsequent calendar year;

22 2. For the second offense, by a fine of Four Thousand Dollars
23 (\$4,000.00) and a revocation and prohibition of hunting and fishing
24

1 license privileges for the remainder of the calendar year and two
2 (2) subsequent calendar years; and

3 3. For the third offense, by a fine of Five Thousand Dollars
4 (\$5,000.00) and a revocation and prohibition of hunting and fishing
5 license privileges for the remainder of the calendar year and three
6 (3) subsequent calendar years.

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

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