

1 STATE OF OKLAHOMA

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

3 SENATE BILL NO. 851

By: Murdock

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5
6 AS INTRODUCED

7 An Act relating to the Oklahoma Wildlife Conservation
8 Code; amending 29 O.S. 2011, Section 4-112, as last
9 amended by Section 3, Chapter 353, O.S.L. 2017 (29
10 O.S. Supp. 2018, Section 4-112), which relates to
11 hunting licenses; modifying certain 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 4-112, as
15 last amended by Section 3, Chapter 353, O.S.L. 2017 (29 O.S. Supp.
16 2018, Section 4-112), is amended to read as follows:

17 Section 4-112. A. Except as otherwise provided for in the
18 Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae
19 Act, no person may hunt, pursue, trap, harass, catch, kill, take or
20 attempt to take in any manner, use, have in possession, sell, or
21 transport all or any portion of any wildlife except fish, without
22 having first procured a license from the Department of Wildlife
23 Conservation. The Wildlife Conservation Commission shall designate
24 a consecutive Saturday and Sunday in September of each year as free
25 hunting days in which residents of this state may hunt without first

1 procuring a hunting license pursuant to the provisions of this
2 section.

3 B. The following legal residents of Oklahoma shall be exempt
4 from the annual hunting license requirement of paragraph 1 of
5 subsection F of this section and the following nonresidents shall be
6 exempt from the annual nonresident hunting licenses required
7 pursuant to paragraph 1 of subsection C of this section:

8 1. Legal residents under sixteen (16) years of age;

9 2. Legal residents sixty-five (65) years of age or older
10 provided they have obtained a senior citizen lifetime hunting or
11 combination hunting and fishing license pursuant to the provisions
12 of Section 4-114 of this title;

13 3. Legal residents born on or before January 1, 1923;

14 4. Legal resident veterans having a disability of sixty percent
15 (60%) or more;

16 5. Legal resident owners or tenants who hunt on land owned or
17 leased by them;

18 6. Any nonresident under fourteen (14) years of age;

19 7. Legal residents having a proven disability which renders
20 them nonambulatory and confines them to a wheelchair, as certified
21 by a physician licensed in this state or in any state which borders
22 this state;

1 8. Any legal resident or nonresident under eighteen (18) years
2 of age who is in the physical custody of a child care facility as
3 defined by Section 402 of Title 10 of the Oklahoma Statutes; and

4 9. Any legal resident or nonresident hunting, pursuing,
5 trapping, harassing, catching, killing, taking, or attempting to
6 take in any manner any species of rattlesnake during an organized
7 rattlesnake-hunting event or festival and who has a rattlesnake
8 permit issued pursuant to Section 4-143 of this title.

9 C. Except as otherwise provided for in the Oklahoma Wildlife
10 Conservation Code, the nonresident hunting licenses issued pursuant
11 to this section and the fee for each license shall be:

12 1. Annual hunting license for nonresidents hunting game other
13 than deer, antelope, elk or bear which expires on December 31 of the
14 year purchased - ~~One Hundred Forty-one Dollars (\$141.00)~~ One Hundred
15 Thirty-one Dollars (\$131.00). Nonresidents hunting big game,
16 combination big game and upland game or exotic wildlife in a
17 commercial hunting area shall be required to have this license;

18 2. Annual hunting license for nonresidents hunting game other
19 than deer, antelope, elk or bear which expires on June 30 of the
20 fiscal year purchased - One Hundred Seventy-five Dollars (\$175.00).
21 Nonresidents hunting big game, combination big game and upland game
22 or exotic wildlife in a commercial hunting area shall be required to
23 have this license;

24 3. Gun hunting license for deer:
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- 1 a. during deer gun seasons occurring prior to January 16,
2 2021, for youth nonresidents seventeen (17) years of
3 age or younger which shall be valid for hunting one
4 antlerless deer allowed during the current calendar
5 year deer gun season - Thirty Dollars (\$30.00),
- 6 b. during deer gun seasons occurring prior to January 16,
7 2021, for youth nonresidents seventeen (17) years of
8 age or younger which shall be valid for hunting one
9 antlered or antlerless deer allowed during the current
10 calendar year deer gun season - Ninety-nine Dollars
11 (\$99.00),
- 12 c. during deer gun seasons occurring prior to January 16,
13 2021, for nonresidents which shall be valid for
14 hunting all deer allowed during the current calendar
15 year deer gun season - Two Hundred Ninety-nine Dollars
16 (\$299.00), and
- 17 d. during any deer gun season occurring on or after
18 January 16, 2021, for nonresidents which shall be
19 valid for hunting all deer allowed during the current
20 calendar year deer gun season - Two Hundred Seventy-
21 nine Dollars (\$279.00);

22 4. Archery hunting license for deer for nonresidents which
23 shall expire on January 15 of the calendar year after the year
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1 purchased or, if purchased during the deer archery season, it shall
2 expire at the end of that deer archery season:

- 3 a. during deer archery seasons occurring prior to January
4 16, 2021, for youth nonresidents seventeen (17) years
5 of age or younger which shall be valid for hunting one
6 antlerless deer allowed during the current deer
7 archery season - Thirty Dollars (\$30.00),
- 8 b. during deer archery seasons occurring prior to January
9 16, 2021, for youth nonresidents seventeen (17) years
10 of age or younger which shall be valid for hunting one
11 antlered or antlerless deer allowed during the current
12 deer archery season - Ninety-nine Dollars (\$99.00),
- 13 c. during deer archery seasons occurring prior to January
14 16, 2021, for nonresidents which shall be valid for
15 hunting all deer allowed during the current deer
16 archery season - Two Hundred Ninety-nine Dollars
17 (\$299.00), and
- 18 d. during any deer archery season occurring on or after
19 January 16, 2021, for nonresidents which shall be
20 valid for hunting all deer allowed during the current
21 deer archery season - Two Hundred Seventy-nine Dollars
22 (\$279.00);

23 5. Primitive firearms hunting license for deer for:
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- 1 a. during deer primitive firearms seasons occurring prior
2 to January 16, 2021, for youth nonresidents seventeen
3 (17) years of age or younger which shall be valid for
4 hunting one antlerless deer allowed during the current
5 calendar year deer primitive firearms season - Thirty
6 Dollars (\$30.00),
- 7 b. during deer primitive firearms seasons occurring prior
8 to January 16, 2021, for youth nonresidents seventeen
9 (17) years of age or younger which shall be valid for
10 hunting one antlered or antlerless deer allowed during
11 the current calendar year deer primitive firearms
12 season - Ninety-nine Dollars (\$99.00),
- 13 c. during deer primitive firearms seasons occurring prior
14 to January 16, 2021, for nonresidents which shall be
15 valid for hunting all deer allowed during the current
16 calendar year deer primitive firearms season - Two
17 Hundred Ninety-nine Dollars (\$299.00), and
- 18 d. during any deer primitive firearms season occurring on
19 or after January 16, 2021, for nonresidents which
20 shall be valid for hunting all deer allowed during the
21 current calendar year deer primitive firearms season -
22 Two Hundred Seventy-nine Dollars (\$279.00);

23 6. Hunting license for antelope for nonresidents - Three
24 Hundred Five Dollars (\$305.00);

1 7. Hunting license for elk for nonresidents - Three Hundred
2 Five Dollars (\$305.00);

3 8. Five-day hunting license for nonresidents hunting game other
4 than deer, antelope, elk, quail, turkey or bear - Seventy-four
5 Dollars (\$74.00). Nonresidents hunting big game, combination big
6 game and upland game or exotic wildlife in a commercial hunting area
7 shall be required to have this license; and

8 9. Ten-day hunting license for nonresidents hunting small game
9 in a commercial hunting area - Five Dollars (\$5.00).

10 D. The Department of Wildlife Conservation shall provide a
11 report to both the President Pro Tempore of the Senate and the
12 Speaker of the House of Representatives by February 1 of 2019 and
13 2020 setting forth information regarding licenses issued pursuant to
14 paragraphs 3, 4 and 5 of subsection C of this section, which shall
15 include, but not be limited to:

16 1. The number of licenses issued during the most recent
17 respective deer hunting seasons; and

18 2. A fiscal analysis comparing revenue generated from the fees
19 of the licenses issued during the most recent respective deer
20 hunting seasons compared to previous years and whether the deer
21 hunting license structure is beneficial to the Department.

22 E. Of the fees collected pursuant to the provisions of
23 subsection C of this section:

1 1. Five Dollars (\$5.00) of the license fee of each license
2 issued pursuant to paragraphs 1 through 7 of subsection C of this
3 section and Two Dollars and fifty cents (\$2.50) of the license fee
4 for each license issued pursuant to paragraph 8 of subsection C of
5 this section shall be deposited in the Wildlife Land Acquisition
6 Fund created pursuant to the provisions of Section 4-132 of this
7 title; and

8 2. Five Dollars (\$5.00) of the license fee for each license
9 issued pursuant to paragraphs 1 through 8 of subsection C of this
10 section shall be for the Oklahoma Wildlife Land Stamp and shall be
11 deposited in the Oklahoma Wildlife Land Fund created pursuant to the
12 provisions of Section 4-141 of this title.

13 F. Except as otherwise provided, the resident hunting licenses
14 issued pursuant to this section and the fee for each license shall
15 be:

16 1. Annual hunting license for residents eighteen (18) years of
17 age and older which expires on December 31 of the year purchased -
18 Twenty-four Dollars (\$24.00);

19 2. Annual hunting license for residents eighteen (18) years of
20 age and older which expires on June 30 of the fiscal year purchased
21 - Thirty-one Dollars (\$31.00);

22 3. Annual hunting license for residents sixteen (16) or
23 seventeen (17) years of age which expires on December 31 of the year
24 purchased - Four Dollars (\$4.00);

1 4. Annual hunting license for residents sixteen (16) or
2 seventeen (17) years of age which expires on June 30 of the fiscal
3 year purchased - Six Dollars (\$6.00);

4 5. Ten-day hunting license for residents for small game in a
5 commercial hunting area - Five Dollars (\$5.00);

6 6. Five-year disability hunting license for residents of this
7 state for at least six (6) months who are receiving Social Security
8 Disability benefits, Supplemental Security Income benefits or
9 disability benefits under the Railroad Retirement Act, 45 U.S.C.A.,
10 Section 231a, or residents who are one-hundred-percent disabled and
11 are receiving disability payments from the Multiple Injury Trust
12 Fund pursuant to Section 31 of Title 85A of the Oklahoma Statutes -
13 Ten Dollars (\$10.00);

14 7. Gun hunting license for deer for residents eighteen (18)
15 years of age or older - Nineteen Dollars (\$19.00). The following
16 persons shall be exempt:

- 17 a. residents with proper certification from the United
18 States Department of Veterans Affairs or its
19 successor, certifying that the person is a disabled
20 veteran in receipt of compensation at the one-hundred-
21 percent rate, and
- 22 b. residents hunting in big game or combination big game
23 and upland game commercial hunting areas;

1 8. Gun hunting license for deer for residents under eighteen
2 (18) years of age - Nine Dollars (\$9.00);

3 9. Archery hunting license for deer for residents eighteen (18)
4 years of age or older - Nineteen Dollars (\$19.00). The following
5 persons shall be exempt:

6 a. residents with proper certification from the United
7 States Department of Veterans Affairs or its
8 successor, certifying that the person is a disabled
9 veteran in receipt of compensation at the one-hundred-
10 percent rate, and

11 b. residents hunting in big game or combination big game
12 and upland game commercial hunting areas;

13 10. Archery hunting license for deer for residents under
14 eighteen (18) years of age - Nine Dollars (\$9.00);

15 11. Primitive firearms hunting license for deer for residents
16 eighteen (18) years of age or older - Nineteen Dollars (\$19.00).

17 The following persons shall be exempt:

18 a. residents with proper certification from the United
19 States Department of Veterans Affairs or its
20 successor, certifying that the person is a disabled
21 veteran in receipt of compensation at the one-hundred-
22 percent rate, and

23 b. residents hunting in big game or combination big game
24 and upland game commercial hunting areas;

1 12. Primitive firearms hunting license for deer for residents
2 under eighteen (18) years of age - Nine Dollars (\$9.00);

3 13. Hunting license for elk for residents - Fifty Dollars
4 (\$50.00). Residents hunting in big game or combination big game and
5 upland game commercial hunting areas shall be exempt from this
6 license;

7 14. Hunting license for antelope for residents - Fifty Dollars
8 (\$50.00). Residents hunting in big game or combination big game and
9 upland game commercial hunting areas shall be exempt from this
10 license; and

11 15. Bonus, special or additional gun hunting license for deer
12 for residents - Nineteen Dollars (\$19.00). The following persons
13 shall be exempt:

14 a. residents with proper certification from the United
15 States Department of Veterans Affairs or its
16 successor, certifying that the person is a disabled
17 veteran in receipt of compensation at the one-hundred-
18 percent rate, and

19 b. residents hunting in big game or combination big game
20 and upland game commercial hunting areas.

21 G. Residents hunting big game, combination big game and upland
22 game or exotic wildlife in a commercial hunting area shall be
23 required to have one of the following licenses:
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1 1. An annual hunting license issued pursuant to paragraph 1, 2,
2 3 or 4 of subsection F of this section;

3 2. An annual hunting and fishing combination license issued
4 pursuant to Section 4-113 of this title;

5 3. A five-year hunting license or five-year combination hunting
6 and fishing license issued pursuant to Section 4-113.1 of this
7 title; or

8 4. A lifetime hunting license or lifetime combination hunting
9 and fishing license issued pursuant to Section 4-114 of this title.

10 H. Of the fees collected pursuant to the provisions of
11 paragraphs 1 and 2 of subsection F of this section, Five Dollars
12 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
13 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
14 created pursuant to the provisions of Section 4-141 of this title.

15 I. The provisions of this section shall not be construed to
16 require a hunting license, resident or nonresident, of any person
17 merely because the person participates, as owner or handler of an
18 entry, as an official, or as a spectator in the conduct of a field
19 trial or performance test of dogs, whether a resident or nonresident
20 of the State of Oklahoma. No license to hunt shall be required of
21 any person engaged in training or working dogs, provided that person
22 is in no way engaged in hunting and does not take or attempt to take
23 in any manner any game.

1 J. 1. Any person arrested for hunting game other than deer,
2 antelope, elk, bear or turkey without a valid hunting license as
3 required by the provisions of subsection A of this section may
4 purchase a substitute temporary thirty-day license from the
5 arresting game warden in lieu of posting bond. Proof of hunter
6 safety certification will not be required for the temporary
7 substitute license. The fee for a substitute license purchased
8 pursuant to the provisions of this subsection shall be:

- 9 a. for legal residents, Fifty Dollars (\$50.00), and
10 b. for nonresidents, One Hundred Forty-five Dollars
11 (\$145.00).

12 2. Except as otherwise provided for by this subsection, the
13 fees from licenses purchased pursuant to the provisions of this
14 subsection shall be deposited in the Wildlife Conservation Fund to
15 be used exclusively for developing, managing, preserving, and
16 protecting wildlife and wildlife habitat.

17 K. Any person producing proof in court that a current hunting
18 license issued by the Department of Wildlife Conservation to that
19 person was in force at the time of the alleged offense shall be
20 entitled to dismissal of a charge of violating this section upon
21 payment of court costs. If proof of a current hunting license
22 issued by the Department to the person that was in force at the time
23 of the alleged offense is presented to the court or district
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1 attorney within seventy-two (72) hours after the violation, the
2 charge shall be dismissed without payment of court costs.

3 L. Unless a substitute license is purchased as provided for by
4 subsection J of this section, any resident convicted of violating
5 the provisions of this section shall be punished by the imposition
6 of a fine of not less than Twenty-five Dollars (\$25.00) nor more
7 than Two Hundred Dollars (\$200.00), or by imprisonment in the county
8 jail for a period not to exceed thirty (30) days, or by both.

9 M. Unless a substitute license is purchased as provided for by
10 subsection J of this section, any nonresident convicted of violating
11 the provisions of this section shall be punished by the imposition
12 of a fine of not less than Two Hundred Dollars (\$200.00) nor more
13 than Five Hundred Dollars (\$500.00), or by imprisonment in the
14 county jail for a period not to exceed six (6) months, or by both.

15 SECTION 2. This act shall become effective November 1, 2019.

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