1	SENATE FLOOR VERSION
2	February 18, 2021
3	SENATE BILL NO. 774 By: Murdock of the Senate
4	and
5	McDugle of the House
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8	[game and fish - license, permit or stamp issued by
9	Oklahoma Wildlife Conservation Commission to hunt or fish - repealer - codification - effective date]
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12	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
13	SECTION 1. NEW LAW A new section of law to be codified
14	in the Oklahoma Statutes as Section 4-301 of Title 29, unless there
15	is created a duplication in numbering, reads as follows:
16	A. Except as otherwise provided, no person may hunt, pursue,
17	trap, harass, catch, kill, take, or attempt to take in any manner,
18	use, have in possession, sell, or transport all or any portion of
19	any wildlife including fish, or enter any land owned, leased or
20	managed by the Department of Wildlife Conservation unless the person
21	has first obtained a license, permit or stamp from the Director or
22	any authorized agents of the Department of Wildlife Conservation.
23	Each person shall have the license, permit or stamp in their
24	possession when hunting, fishing, taking or transporting any

- wildlife, and when entering any land owned, leased or managed by the Department.
 - B. The Oklahoma Wildlife Conservation Commission shall prescribe by rule the form, type, design, manner of issuance and the fee for these licenses, permits and stamps and any rules necessary to implement the provisions of this section; provided that the Commission shall offer, but not be limited to, a three-hundred-sixty-five-day hunting and fishing license.
 - C. The Commission may by rule or resolution designate discounts, sales or exemptions to any license, permit or stamp.
- SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4-302 of Title 29, unless there is created a duplication in numbering, reads as follows:
 - A. Except as otherwise provided, no person may breed, possess or raise, sell, buy, transport out of state, export, take for commercial purposes any wildlife including fish, without having first procured a license for such purposes from the Director of Wildlife Conservation pursuant to the rules promulgated by the Commission.
- B. The Oklahoma Wildlife Conservation Commission shall prescribe, by rule, the form, type, design, manner of issuance and the fee for these licenses, permits and stamps; and any rules necessary to implement the provisions of this section.

- C. 1. Any person convicted of violating the provisions of this section shall have the commercial license revoked and forfeit the privileges provided by the license. No new license shall be issued for a period of at least six (6) months from and after the date on which the revocation order becomes effective.
- 2. Any person convicted of violating the provisions of this section shall be punished by a fine of no less than One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for a period not to exceed six (6) months, or by confiscation of gear, or by a combination of fine, imprisonment, and confiscation.
- SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4-303 of Title 29, unless there is created a duplication in numbering, reads as follows:
- A. Except as otherwise provided in this title or in the Oklahoma Farmed Cervidae Act, no person may breed or raise wildlife for personal consumption or noncommercial purposes, or kill or capture wildlife or take their nests or eggs for scientific purposes without having first procured a license from the State Wildlife Conservation Director.
- B. The Oklahoma Wildlife Conservation Commission shall prescribe, by rule, the form, type, design, manner of issuance and the fee for these licenses, permits and stamps; and any rules necessary to implement the provisions of this section.

- C. 1. Any person convicted of violating the provisions of this section shall have the noncommercial license revoked and forfeit the privileges provided by the license. No new license shall be issued for a period of at least six (6) months from and after the date on which the revocation order becomes effective.
- 2. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00).
- SECTION 4. AMENDATORY 29 O.S. 2011, Section 4-101, as amended by Section 1, Chapter 341, O.S.L. 2013 (29 O.S. Supp. 2020, Section 4-101), is amended to read as follows:
- Section 4-101. A. All licenses and permits issued by the Director of State Wildlife Conservation Director, the Department of Wildlife Conservation or by any of its agents shall be used only in conformity with the provisions of this title and the rules promulgated by the Oklahoma Wildlife Conservation Commission.
- B. All persons making application for any licenses required by this section shall produce a valid license to operate a motor vehicle or other positive proof of identification, age and residency, and any such license issued shall show such data as well as the date and time of issuance.
- C. All licenses are nontransferable. No person shall alter,

 change, lend or transfer any license. No person shall use or borrow

 a license which has not been issued to that person by the Director,

- the Department or by any of its agents pursuant to the provisions of this section.
 - D. No person may engage in activities requiring a license without that person's carrying such license on their person and producing the same for an inspection upon the demand of any Oklahoma citizen or game warden.
 - E. Any person required to produce a license must also identify themselves as the person to whom such license was issued, and failure or refusal to comply shall be deemed prima facie evidence of a violation of this section.
 - F. Unless otherwise provided in this Code:

- 1. Hunting licenses issued pursuant to paragraph 1 of subsection C and paragraphs 1 and 3 of subsection E of Section 4-112 of this title and paragraphs 1 and 3 of subsection B of Section 4-113 of this title shall expire on December 31 of the year issued. Hunting licenses issued pursuant to paragraph 2 of subsection C and paragraphs 2 and 4 of subsection E of Section 4-112 of this title and paragraphs 2 and 4 of subsection B of Section 4-113 of this title shall expire on June 30 of the fiscal year issued. All other licenses shall terminate December 31 for the year issued; and
- 2. Any, any person convicted of violating any of the provisions of this title may have any or all licenses held by that person or the privilege of applying for, purchasing or exercising the benefits conferred by the licenses revoked by the Department in accordance

- 1 | with rules promulgated by the Commission or by a court of competent
- 2 | jurisdiction for a period of not less than one (1) year. For
- 3 purposes of this paragraph, a court conviction, a plea of guilty, a
- 4 | plea of nolo contendere, the imposition of a deferred or suspended
- 5 | sentence by a court, or forfeiture of bond shall be deemed a
- 6 | conviction.
- 7 G. Should any license or permit issued pursuant to Part 1 of
- 8 Article IV of this title be lost or destroyed, duplicates will be
- 9 issued by the Department at a fee of One Dollar and fifty cents
- 10 $\frac{\$1.50}{}$ determined by the Commission.
- 11 H. Upon harvesting any whitetail or mule deer, or any other
- 12 | wildlife where the hunter, according to Commission rules, is
- 13 required to check the wildlife in at a Department check station, the
- 14 taker of the wildlife shall:
- 15 | 1. Securely attach the name of the taker, time of harvest, date
- 16 of harvest and license number to the carcass of the wildlife;
- 2. Check in the carcass of the wildlife electronically using
- 18 | the online check station provided on the official website of the
- 19 Oklahoma Department of Wildlife Conservation or as prescribed by
- 20 rule of the Commission, within twenty-four (24) hours of leaving the
- 21 | hunt area and in all cases prior to processing the carcass; and
- 22 3. Not remove evidence of the sex of the animal until after the
- 23 carcass of the animal has been checked in.

- I. It shall be unlawful for any license or permit holder to knowingly make a false statement or give false information to any authorized hunter check station or to an authorized Department employee when complying with the provisions of subsection H of this section. Information which may be collected at a Department check station shall include but not be limited to the name, address, license or permit number and signature of the taker, the date, time, county, method or weapon of the kill, sex and weight of carcass, whether or not the animal was taken on public hunting land and if so in what area, or any other information which may be required by the Commission.
- J. 1. Any person convicted of violating the provisions of this section or of making a false statement or giving any false information in order to acquire any license or permit, pursuant to the provisions of this section, shall be punishable by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Fifty Dollars (\$250.00), or by imprisonment in the county jail for a period not to exceed ten (10) days, or by both such fine and imprisonment. Any person convicted of a second or subsequent violation of the provisions of this section or of making a false statement or giving any false information in order to acquire any license or permit, pursuant to the provisions of this section, shall be punishable by a fine of not less than Two Hundred Fifty Dollars (\$750.00), or by

imprisonment in the county jail for a period not to exceed ten (10) days, or by both such fine and imprisonment.

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- 2. Any hunting or fishing license issued to a person by the Department of Wildlife Conservation shall be automatically revoked upon conviction of the person of violating the provisions of this section. The revocation shall be for a period set by the court of not less than one (1) year nor more than ten (10) years. court does not set a period, the revocation shall be for one (1) year from the date of the conviction. During this period of revocation, the Department shall not issue the person a hunting or fishing license. If the court does not set a revocation period, the Department shall not issue that person a license within one (1) year of the conviction of the person pursuant to this section. A person who has a license or permit revoked pursuant to this section shall surrender the revoked license or permit to the court. The court shall send the Department of Wildlife Conservation the revoked license and a copy of the judgment of conviction. For purposes of this section, "conviction" shall include a plea of guilty or nolo contendere to an offense or the imposition of deferred adjudication for an offense.
 - K. Any person who has had their license privileges revoked shall not be entitled to purchase, apply for, or exercise the benefits conferred by any license until the revocation period has expired or the person has obtained approval from the Director. Any

- 1 person violating the provisions of this subsection, upon conviction,
- 2 | shall be punished by a fine of not more than Five Hundred Dollars
- 3 (\$500.00), or by imprisonment in a county jail for a term of not
- 4 | more than ninety (90) days or by both the fine and imprisonment.
- 5 Upon conviction under this subsection, the previously granted
- 6 license revocation period shall be extended by two (2) additional
- 7 years.
- 8 | SECTION 5. AMENDATORY 29 O.S. 2011, Section 4-110, as
- 9 | last amended by Section 2, Chapter 229, O.S.L. 2017 (29 O.S. Supp.
- 10 2020, Section 4-110), is amended to read as follows:
- 11 Section 4-110. A. Except as otherwise provided in the Oklahoma
- 12 | Wildlife Conservation Code, no person shall fish, pursue, harass,
- 13 | catch, kill, take in any manner, use, have in possession, sell, or
- 14 | transport all or any portion of fish without having first procured a
- 15 | license for such from the Director or from any of the authorized
- 16 agents of the Department of Wildlife Conservation. The Oklahoma
- 17 | Wildlife Conservation Commission may designate two (2) days per year
- 18 | in which residents and nonresidents may fish without first procuring
- 19 a fishing license pursuant to the provisions of this section.
- 20 B. The following legal residents of Oklahoma shall be exempt
- 21 | from the annual fishing license requirements of subsection C of this
- 22 | section and the following nonresidents shall be exempt from the
- 23 annual nonresident fishing licenses required pursuant to subsection
- 24 E of this section:

1	1. Legal residents under sixteen (16) years of age and
2	nonresidents under sixteen (16) years of age from states which do
3	not require nonresident fishing licenses for persons under sixteen
4	(16) years of age;
5	2. Legal residents sixty-five (65) years of age or older and
6	nonresidents sixty-five (65) years of age or older from states which
7	do not require nonresident fishing licenses for persons sixty-five
8	(65) years of age or older, provided a legal resident has obtained a
9	senior citizen lifetime fishing or combination hunting and fishing
10	license pursuant to the provisions of Section 4-114 of this title;
11	3. Legal residents born on or before January 1, 1923;
12	4. Legal resident veterans having a disability of sixty percent
13	(60%) or more and registered with the veterans registry created by
14	the Oklahoma Department of Veterans Affairs; provided, that if the
15	veteran has previously received an exemption pursuant to this
16	paragraph, no registration with the veterans registry shall be
17	required. The Oklahoma Wildlife Conservation Commission shall
18	promulgate any rules necessary to implement the provisions of this
19	paragraph;
20	5. Legal resident owners or tenants, their spouses, parents,
21	grandparents, children and their spouses, grandchildren and their
22	spouses who fish in private ponds on land owned or leased by them;
23	6. Any legal resident or nonresident who is a patient of an
24	institution of the State of Oklahoma established for the care and

treatment of mental illness or alcohol or drug dependency or any developmentally disabled person residing in any group home or other institution or developmentally disabled persons when accompanied by an attendant of the institution or legal quardian of the patient, or when fishing on institutional property; 7. Any legal resident or nonresident under eighteen (18) years of age who is in the legal and physical custody of the State of Oklahoma or one of its agencies by court order; 8. Any legal resident or nonresident under eighteen (18) years of age who is in the physical custody of a child care facility as defined by Section 402 of Title 10 of the Oklahoma Statutes; 9. Any legal resident or nonresident who is legally blind or who has any other physical impairment, as certified by a physician licensed in this state or any state which borders this state, which prevents the person from properly using fishing apparatus without the assistance of another person, and any one person actually accompanying and actually assisting such legally blind or otherwise physically impaired person while the latter is fishing. This certification shall be carried by the individual while fishing; 10. Nonresidents under fourteen (14) years of age; 11. Any legal resident or nonresident who is a Job Corps traince of this state, provided that the trainces shall have on their persons a duly authorized identification card issued by their

respective Job Corps Center and shall present the card upon request,

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in lieu of a fishing license. The trainees shall return their cards
to their respective Job Corps Center when the trainees leave their
respective Job Corps training programs;
12. Any legal resident having a proven disability which renders
the resident nonambulatory and confined to a wheelchair as certified
by a physician licensed in this state or any state which borders
this state;
13. Any legal resident who is fishing with a pole and line,
trotline, or throwline in streams, natural lakes, natural ponds, and
mine pits in the county in which the person is a resident, or in
streams, natural lakes, natural ponds, and mine pits which form a
part of the boundary line of the county in which the person is a
resident, when using any bait other than commercial or artificial
bait, blood, stink bait, cut fish, and shrimp; and
14. Any legal resident or nonresident participating in an
aquatic education event or clinic sanctioned by the Department of
Wildlife Conservation.
C. Except as otherwise provided for in the Oklahoma Wildlife
Conservation Code, the resident fishing licenses issued pursuant to
the provisions of this section and the fee for each shall be:
1. Annual fishing license for legal residents eighteen (18)
<pre>years of age and older - Twenty-four Dollars (\$24.00);</pre>
2. Annual fishing license for legal residents sixteen (16) or

seventeen (17) years of age - Four Dollars (\$4.00); and

1	3. Two-day fishing license for legal residents - Fourteen
2	Dollars (\$14.00).
3	D. Of the fees collected pursuant to the provisions of
4	paragraphs 1 and 3 of subsection C of this section, Five Dollars
5	(\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
6	Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
7	created pursuant to the provisions of Section 4-141 of this title.
8	E. Except as otherwise provided for in the Oklahoma Wildlife
9	Conservation Code, the nonresident fishing licenses issued pursuant
10	to the provisions of this section and the fee for each shall be:
11	1. Annual fishing license for nonresidents - Fifty-four Dollars
12	(\$54.00), provided the Commission may enter into reciprocity
13	agreements with states wherein nonresident license fees shall be in
14	conformity with such reciprocal agreements;
15	2. Six-day fishing license for nonresidents - Thirty-four
16	Dollars (\$34.00); and
17	3. One-day fishing license for nonresidents - Fourteen Dollars
18	(\$14.00).
19	F. Of the fees collected pursuant to the provisions of
20	paragraphs 1, 2 and 3 of subsection E of this section, Five Dollars
21	(\$5.00) of the annual license fee for nonresidents, One Dollar and
22	fifty cents (\$1.50) of the six-day fishing license for nonresidents
23	fee and One Dollar and fifty cents (\$1.50) of the one-day fishing
2.4	license for perresidents foe shall be deposited in the Wildlife Land

1 Acquisition Fund created pursuant to the provisions of Section 4-132 of this title. Of the fees collected pursuant to the provisions of 3 paragraphs 1, 2 and 3 of subsection E of this section, Five Dollars (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land 4 5 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund created pursuant to the provisions of Section 4-141 of this title. 6 7 G. Legal residents who have resided in this state for at least six (6) months and who are receiving Social Security Disability 8 9 benefits, Supplemental Security Income benefits, disability benefits 10 under the Railroad Retirement Act, 45 U.S.C.A., Section 231a, postal 11 employees receiving disability benefits pursuant to 5 U.S.C., 12 Section 8451 (1998) or legal residents who are one hundred percent (100%) disabled and are receiving disability payments from the 13 Multiple Injury Trust Fund pursuant to Section 403 of Title 85 of 14 15 the Oklahoma Statutes, may purchase a disability fishing license from the Director for Ten Dollars (\$10.00) for five (5) years. 16 H. The Oklahoma Wildlife Conservation Commission shall 17 prescribe by rule the form, type, design, manner of issuance and the 18 fee for these licenses, permits and stamps; and any rules necessary 19 to implement the provisions of this section. 20 Any person arrested while violating the provisions of

this section who does not meet the requirements of subsection K F of

this section, may purchase a substitute temporary thirty-day license

from the arresting game warden in lieu of posting bond.

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Commission shall by rule determine the fee for a substitute license purchased pursuant to the provisions of this subsection shall be:

- a. for legal residents, Fifty Dollars (\$50.00), and
- b. for nonresidents, Ninety Dollars (\$90.00).

- 2. Except as otherwise provided by this subsection, the fees from licenses purchased pursuant to the provisions of this subsection shall be deposited in the Wildlife Conservation Fund to be used exclusively for developing, managing, preserving, and protecting wildlife and wildlife habitat.
- \pm D. Unless a substitute license is purchased as provided for by subsection \pm C of this section, any resident of this state convicted of violating the provisions of this section shall be punished by the imposition of a fine of not less than \pm Twenty-five Dollars (\$25.00) Fifty Dollars (\$50.00) nor more than \pm Two Hundred Dollars (\$200.00) or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both said fine and imprisonment.
- J. E. Unless a substitute license is purchased as provided for by subsection # C of this section, any nonresident convicted of violating this section shall be punished by a fine of not less than # Fifty Dollars (\$50.00) One # Hundred Dollars (\$100.00) nor more than Two # Hundred Dollars (\$200.00) or by imprisonment in the county jail for a period not more than thirty (30) days, or by both such fine and imprisonment.

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

- G. The Oklahoma Wildlife Conservation Commission shall promulgate any rules necessary to implement the provisions of this section.
- SECTION 6. AMENDATORY 29 O.S. 2011, Section 4-112, as 13 last amended by Section 3, Chapter 229, O.S.L. 2017 (29 O.S. Supp. 14 2020, Section 4-112), is amended to read as follows: 15

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

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without first procuring a hunting license pursuant to the provisions of this section.

- B. The following legal residents of Oklahoma shall be exempt from the annual hunting license requirement of paragraph 1 of subsection E of this section and the following nonresidents shall be exempt from the annual nonresident hunting licenses required pursuant to paragraph 1 of subsection C of this section:
 - 1. Legal residents under sixteen (16) years of age;
- 2. Legal residents sixty-five (65) years of age or older provided they have obtained a senior citizen lifetime hunting or combination hunting and fishing license pursuant to the provisions of Section 4-114 of this title;
 - 3. Legal residents born on or before January 1, 1923;
- 4. Legal resident veterans having a disability of sixty percent (60%) or more and registered with the veterans registry created by the Oklahoma Department of Veterans Affairs; provided, that if the veteran has previously received an exemption pursuant to this paragraph, no registration with the veterans registry shall be required;
- 5. Legal resident owners or tenants who hunt on land owned or leased by them;
 - 6. Any nonresident under fourteen (14) years of age;
- 7. Legal residents having a proven disability which renders
 them nonambulatory and confines them to a wheelchair, as certified

by a physician licensed in this state or in any state which borders this state; 3 8. Any legal resident or nonresident under eighteen (18) years of age who is in the physical custody of a child care facility as 4 defined by Section 402 of Title 10 of the Oklahoma Statutes; and 5 9. Any legal resident or nonresident hunting, pursuing, 6 7 trapping, harassing, catching, killing, taking, or attempting to take in any manner any species of rattlesnake during an organized 9 rattlesnake-hunting event or festival and who has a rattlesnake 10 permit issued pursuant to Section 4-143 of this title. C. Except as otherwise provided for in the Oklahoma Wildlife 11 12 Conservation Code, the nonresident hunting licenses issued pursuant 13 to this section and the fee for each license shall be: 1. Annual hunting license for nonresidents hunting game other 14 15 than deer, antelope, elk or bear which expires on December 31 of the year purchased - One Hundred Forty-one Dollars (\$141.00). 16 Nonresidents hunting big game or combination big game and upland 17 game in a commercial hunting area shall be required to have this 18 license; 19 2. Annual hunting license for nonresidents hunting game other 20 than deer, antelope, elk or bear which expires on June 30 of the 21 fiscal year purchased - One Hundred Seventy-five Dollars (\$175.00). 22 Nonresidents hunting big game or combination big game and upland

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1	game in a commercial hunting area shall be required to have this
2	license;
3	3. Gun hunting license for deer for nonresidents which shall be
4	valid for hunting all deer allowed during the current calendar year
5	deer gun season - Two Hundred Seventy-nine Dollars (\$279.00);
6	4. Archery hunting license for deer for nonresidents which
7	shall expire on January 15 of the calendar year after the year
8	purchased or if purchased during the deer archery season it shall
9	expire at the end of that deer archery season - Two Hundred Seventy-
10	nine Dollars (\$279.00);
11	5. Primitive firearms hunting license for deer for nonresidents
12	which shall be valid for hunting all deer allowed during the current
13	calendar year deer primitive firearms season - Two Hundred Seventy-
14	nine Dollars (\$279.00);
15	6. Hunting license for antelope for nonresidents - Three
16	Hundred Five Dollars (\$305.00);
17	7. Hunting license for elk for nonresidents - Three Hundred
18	Five Dollars (\$305.00);
19	8. Five-day hunting license for nonresidents hunting game other
20	than deer, antelope, elk, quail, turkey or bear - Seventy-four
21	Dollars (\$74.00); and
22	9. Ten-day hunting license for nonresidents hunting small game
23	in a commercial hunting area - Five Dollars (\$5.00).
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1	D. Of the fees collected pursuant to the provisions of
2	subsection C of this section:
3	1. Five Dollars (\$5.00) of the license fee of each license
4	issued pursuant to paragraphs 1 through 7 of subsection C of this
5	section and Two Dollars and fifty cents (\$2.50) of the license fee
6	for each license issued pursuant to paragraph 8 of subsection C of
7	this section shall be deposited in the Wildlife Land Acquisition
8	Fund created pursuant to the provisions of Section 4-132 of this
9	title; and
10	2. Five Dollars (\$5.00) of the license fee for each license
11	issued pursuant to paragraphs 1 through 8 of subsection C of this
12	section shall be for the Oklahoma Wildlife Land Stamp and shall be
13	deposited in the Oklahoma Wildlife Land Fund created pursuant to the
14	provisions of Section 4-141 of this title.
15	E. Except as otherwise provided, the resident hunting licenses
16	issued pursuant to this section and the fee for each license shall
17	be:
18	1. Annual hunting license for residents eighteen (18) years of
19	age and older which expires on December 31 of the year purchased -
20	Twenty-four Dollars (\$24.00);
21	2. Annual hunting license for residents eighteen (18) years of
22	age and older which expires on June 30 of the fiscal year purchased
23	- Thirty-one Dollars (\$31.00);
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1	3. Annual hunting license for residents sixteen (16) or
2	seventeen (17) years of age which expires on December 31 of the year
3	purchased - Four Dollars (\$4.00);
4	4. Annual hunting license for residents sixteen (16) or
5	seventeen (17) years of age which expires on June 30 of the fiscal
6	year purchased - Six Dollars (\$6.00);
7	5. Ten-day hunting license for residents for small game in a
8	commercial hunting area - Five Dollars (\$5.00);
9	6. Five-year disability hunting license for residents of this
10	state for at least six (6) months who are receiving Social Security
11	Disability benefits, Supplemental Security Income benefits or
12	disability benefits under the Railroad Retirement Act, 45 U.S.C.A.,
13	Section 231a, or residents who are one-hundred-percent disabled and
14	are receiving disability payments from the Multiple Injury Trust
15	Fund pursuant to Section 31 of Title 85A of the Oklahoma Statutes -
16	Ten Dollars (\$10.00);
17	7. Gun hunting license for deer for residents eighteen (18)
18	years of age or older - Nineteen Dollars (\$19.00). The following
19	persons shall be exempt:
20	a. residents with proper certification from the United
21	States Department of Veterans Affairs or its
22	successor, certifying that the person is a disabled
23	veteran in receipt of compensation at the one-hundred-
24	percent rate and registered with the veterans registry

1	created by the Oklahoma Department of Veterans
2	Affairs; provided, that if the veteran has previously
3	received an exemption pursuant to this subparagraph,
4	no registration with the veterans registry shall be
5	required, and
6	b. residents hunting in big game or combination big game
7	and upland game commercial hunting areas;
8	8. Gun hunting license for deer for residents under eighteen
9	(18) years of age - Nine Dollars (\$9.00);
10	9. Archery hunting license for deer for residents eighteen (18)
11	years of age or older - Nineteen Dollars (\$19.00). The following
12	persons shall be exempt:
13	a. residents with proper certification from the United
14	States Department of Veterans Affairs or its
15	successor, certifying that the person is a disabled
16	veteran in receipt of compensation at the one-hundred-
17	percent rate and registered with the veterans registry
18	created by the Oklahoma Department of Veterans
19	Affairs; provided, that if the veteran has previously
20	received the exemption pursuant to this subparagraph,
21	no registration with the veterans registry shall be
22	required, and
23	b. residents hunting in big game or combination big game
24	and upland game commercial hunting areas;

1	10. Archery hunting license for deer for residents under
2	eighteen (18) years of age - Nine Dollars (\$9.00);
3	11. Primitive firearms hunting license for deer for residents
4	eighteen (18) years of age or older - Nineteen Dollars (\$19.00).
5	The following 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 registered with the veterans registry
11	created by the Oklahoma Department of Veterans
12	Affairs; provided, that if the veteran has previously
13	received the exemption pursuant to this subparagraph,
14	no registration with the veterans registry shall be
15	required, and
16	b. residents hunting in big game or combination big game
17	and upland game commercial hunting areas;
18	12. Primitive firearms hunting license for deer for residents
19	under eighteen (18) years of age - Nine Dollars (\$9.00);
20	13. Hunting license for elk for residents - Fifty Dollars
21	(\$50.00). Residents hunting in big game or combination big game and
22	upland game commercial hunting areas shall be exempt from this
23	license;
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1	14. Hunting license for antelope for residents - Fifty Dollars
2	(\$50.00). Residents hunting in big game or combination big game and
3	upland game commercial hunting areas shall be exempt from this
4	license; and
5	15. Bonus, special or additional gun hunting license for deer
6	for residents - Nineteen Dollars (\$19.00). The following persons
7	shall be exempt:
8	a. residents with proper certification from the United
9	States Department of Veterans Affairs or its
10	successor, certifying that the person is a disabled
11	veteran in receipt of compensation at the one-hundred-
12	percent rate and registered with the veterans registry
13	created by the Oklahoma Department of Veterans
14	Affairs; provided, that if the veteran has previously
15	received the exemption pursuant to this subparagraph,
16	no registration with the veterans registry shall be
17	required, and
18	b. residents hunting in big game or combination big game
19	and upland game commercial hunting areas.
20	F. Of the fees collected pursuant to the provisions of
21	paragraphs 1 and 2 of subsection E of this section, Five Dollars
22	(\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
23	Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
24	created pursuant to the provisions of Section 4-141 of this title.

1	G. The provisions of this section shall not be construed to
2	require a hunting license, resident or nonresident, of any person
3	merely because the person participates, as owner or handler of an
4	entry, as an official, or as a spectator in the conduct of a field
5	trial or performance test of dogs, whether a resident or nonresident
6	of the State of Oklahoma. No license to hunt shall be required of
7	any person engaged in training or working dogs, provided that person
8	is in no way engaged in hunting and does not take or attempt to take
9	in any manner any game The Oklahoma Wildlife Conservation Commission
10	shall prescribe, by rule, the form, type, design, manner of issuance
11	and the fee for these licenses, permits and stamps; and any rules
12	necessary to implement the provisions of this section.
13	H. $1.$ C. Any person arrested for hunting game other than deer,
14	antelope, elk, bear or turkey without a valid hunting license as

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

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

 (\$145.00).

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

- H. D. Any person producing proof in court that a current hunting license issued by the Department of Wildlife Conservation to that person was in force at the time of the alleged offense shall be entitled to dismissal of a charge of violating this section upon payment of court costs. If proof of a current hunting license issued by the Department to the person that was in force at the time of the alleged offense is presented to the court or district attorney within seventy-two (72) hours after the violation, the charge shall be dismissed without payment of court costs.
- J. E. Unless a substitute license is purchased as provided for by subsection $\frac{1}{2}$ C of this section, any resident convicted of violating the provisions of this section shall be punished by the imposition of a fine of not less than $\frac{1}{2}$ Twenty-five Dollars (\$25.00) Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00), or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both.
- K. F. Unless a substitute license is purchased as provided for by subsection H C of this section, any nonresident convicted of violating the provisions of this section shall be punished by the

- 1 | imposition of a fine of not less than Two Hundred Dollars (\$200.00)
- 2 | nor more than Five Hundred Dollars (\$500.00), or by imprisonment in
- 3 | the county jail for a period not to exceed six (6) months, or by
- 4 both.
- 5 L. G. The Oklahoma Wildlife Conservation Commission shall
- 6 promulgate any rules necessary to implement the provisions of this
- 7 section.
- 8 | SECTION 7. AMENDATORY 29 O.S. 2011, Section 4-132, as
- 9 amended by Section 120, Chapter 304, O.S.L. 2012 (29 O.S. Supp.
- 10 2020, Section 4-132), is amended to read as follows:
- 11 Section 4-132. A. The Department of Wildlife Conservation is
- 12 | hereby authorized to issue an Oklahoma Wildlife Habitat Stamp to any
- 13 person upon the voluntary payment of a fee of Ten Dollars (\$10.00).
- 14 | Said fee shall be deposited in the Wildlife Land Acquisition Fund
- 15 | created in subsection C of this section.
- 16 B. The Oklahoma Wildlife Conservation Commission shall
- 17 | promulgate rules specifying the form, design, and manner of issuance
- 18 of said wildlife habitat stamp.
- 19 C. There is hereby created in the State Treasury a revolving
- 20 | fund for the Oklahoma Wildlife Conservation Commission to be
- 21 | designated the "Wildlife Land Acquisition Fund". The fund shall be
- 22 | a continuing fund, not subject to fiscal year limitations, and shall
- 23 consist of all monies received pursuant to the provisions of this
- 24 | section deposited by the Oklahoma Wildlife Conservation Commission.

1 The Oklahoma Wildlife Conservation Commission is hereby authorized 2 to invest all or part of the monies of said the fund in any 3 investment permitted by a written investment policy adopted by the Wildlife Conservation Commission; provided, all investments shall be 5 made in accordance with the Oklahoma Uniform Prudent Investor Act. Any interest or dividends accruing from such investments shall be 6 7 deposited in the Wildlife Land Acquisition Fund. All monies accruing to the credit of said the fund are hereby appropriated and 9 may be budgeted and expended by the Oklahoma Wildlife Conservation 10 Commission for the purposes specified in subsection $\frac{1}{2}$ B of this 11 section. Any monies withdrawn from said the fund by the Oklahoma 12 Wildlife Conservation Commission for investment pursuant to this subsection shall be deemed to be for the purposes specified in 13 subsection $\frac{1}{2}$ B of this section. Expenditures from $\frac{1}{2}$ the fund 14 15 shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of 16 Management and Enterprise Services for approval and payment. 17 D. B. The Wildlife Land Acquisition Fund shall be used by the 18 Oklahoma Wildlife Conservation Commission for the acquisition on a 19 willing-seller willing-buyer basis only, leasing, taking of 20 easements, development, management, and enhancement of lands 21 acquired pursuant to this section for the following purposes: 22

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1. Management of game animals, protected animals and birds, furbearing animals, game birds, fish, and their restoration, propagation, and protection; and

- 2. Creation and management of public hunting, fishing, and trapping areas as places where the public may hunt, fish, or trap as authorized by law.
- E. C. The Oklahoma Wildlife Conservation Commission may accept private contributions, grants, and donations made for the purposes of this section. Any monies received pursuant to this subsection shall be deposited in the Wildlife Land Acquisition Fund created in subsection E A of this section. Any property received pursuant to this subsection which is not suitable for the purposes of this section may be sold by the Oklahoma Wildlife Conservation Commission and the proceeds from such sales shall be deposited in the Wildlife Land Acquisition Fund created in subsection E A of this section.
- F. D. Whenever the Oklahoma Wildlife Conservation Commission acquires title to land pursuant to this section, the Commission shall annually make in lieu of tax payments equal to the average ad valorem tax per acre paid on similar land in that county. Said payments Payments shall be made to the county treasurer of the county in which the land is located.
- E. The Oklahoma Wildlife Conservation Commission shall prescribe any rules necessary to implement the provisions of this section.

1 SECTION 8. AMENDATORY 29 O.S. 2011, Section 4-134, as amended by Section 121, Chapter 304, O.S.L. 2012 (29 O.S. Supp. 2 2020, Section 4-134), is amended to read as follows: 3 Section 4-134. A. There is hereby created in the State 4 5 Treasury a revolving fund for the Oklahoma Wildlife Conservation Commission to be designated the "Wildlife Heritage Fund". The fund 6 7 shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received from senior citizen 9 lifetime licenses issued pursuant to the provisions of paragraphs 4 10 through 6 of subsection B of Section 4-114 of this title deposited by the Oklahoma Wildlife Conservation Commission. The Oklahoma 11 12 Wildlife Conservation Commission is hereby authorized to invest all or part of the monies of said the fund in any investment permitted 13 by a written investment policy adopted by the Wildlife Conservation 14 Commission; provided, all investments shall be made in accordance 15 with the Oklahoma Uniform Prudent Investor Act. Any interest or 16 dividends accruing from such investments shall be deposited in the 17 Wildlife Heritage Fund. Only interest and dividends derived from 18 the principle can be expended and are hereby appropriated and may be 19 budgeted and expended by the Oklahoma Wildlife Conservation 20 Commission for the purposes specified in subsection B of this 21 section. Any monies withdrawn from said the fund by the Oklahoma 22 Wildlife Conservation Commission for investment pursuant to this 23 subsection shall be deemed to be for the purposes specified in 24

- subsection B of this section. Expenditures from said the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.
 - B. The Wildlife Heritage Fund shall be used by the Oklahoma Wildlife Conservation Commission for the acquisition of land on a willing-seller willing-buyer basis only, leasing of land, and the taking of easements, and for the development, management, and enhancement of such lands acquired pursuant to this section for the following purposes:
 - Management of game animals, protected animals and birds, furbearing animals, game birds, fish, and their restoration, propagation, and protection; and
 - 2. Creation and management of public hunting, fishing, and trapping areas as places where the public may hunt, fish, or trap as authorized by law.
 - C. The Oklahoma Wildlife Conservation Commission may accept private contributions, grants, and donations made for the purposes of this section. Any monies received pursuant to this subsection shall be deposited in the Wildlife Heritage Fund created in subsection A of this section. Any property received pursuant to this subsection which is not suitable for the purposes of this section may be sold by the Oklahoma Wildlife Conservation Commission

and the proceeds from such sales shall be deposited in the Wildlife Heritage Fund created in subsection A of this section.

- D. Whenever the Oklahoma Wildlife Conservation Commission acquires title to land pursuant to this section, the Commission shall annually make in lieu of tax payments equal to the average ad valorem tax per acre paid on similar land in that county. Said payments Payments shall be made to the county treasurer of the county in which the land is located to be distributed by said the county treasurer in the manner provided for by law for ad valorem tax payments.
- 11 SECTION 9. AMENDATORY 29 O.S. 2011, Section 4-141, is 12 amended to read as follows:

Section 4-141. A. There is hereby created in the State

Treasury a revolving fund for the Oklahoma Wildlife Conservation

Commission to be designated the "Oklahoma Wildlife Land Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received pursuant to the provisions of Sections 4-110, 4-112 and 4-113 of this title from fees for the Oklahoma Wildlife Land Stamp and required to be deposited in the fund, subsection G of Section 4-114 of this title from fees for the Lifetime Oklahoma Wildlife Land Stamp and required to be deposited in the fund and any other monies received from fees for the Oklahoma Wildlife Land Stamp and required to be deposited in the fund and Stamp and required to be deposited in the fund deposited by the Commission. All monies accruing to the

- 1 credit of the fund are hereby appropriated and shall be expended by 2 the Commission as follows exclusively:
 - 1. An amount equal to Four Dollars (\$4.00) per stamp to be used to To retire the obligations and related expenses as authorized pursuant to Section 168.9 of Title 73 of the Oklahoma Statutes or to purchase, lease, or purchase easements on real property to be used as public hunting, fishing, and trapping areas; and
 - 2. An amount equal to fifty cents (\$0.50) per stamp to be used by the Commission for For the management of the real property acquired pursuant to Section 168.9 of Title 73 of the Oklahoma Statutes or acquired with proceeds from the Oklahoma Wildlife Land Stamp fee.
- B. The Oklahoma Wildlife Conservation Commission shall
 prescribe any rules necessary to implement the provisions of this
 section.
- SECTION 10. AMENDATORY 29 O.S. 2011, Section 5-203, is amended to read as follows:
 - Section 5-203. A. A hunting dog trainer may carry shotguns or firearms on public or private property, other than state parks where hunting game to kill is prohibited, while training bird hunting dogs provided that:
- 1. The trainer notifies the game warden in the region prior to going into the field;

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- 2. The trainer has a dog training shoot to kill an appropriate
 license, issued by the Oklahoma Department of as determined by the
 rules promulgated by the Oklahoma Wildlife Conservation. The fee
 for the license shall not exceed Ten Dollars (\$10.00) per year
- 5 Commission;

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- 3. The trainer has a current receipt from a licensed commercial or noncommercial game breeder of the propagated bird which is being released for the training purposes, stating the number of birds and the date obtained or has proof that the bird was reared by the trainer; and
- 4. All propagated birds so used are tagged or banded prior to their release. The use of a bird hunting dog may be permitted in the legal hunting of quail, dove, prairie chickens, pheasant and waterfowl.
- B. A person may carry a pistol while training a bird dog without having met the provisions of paragraphs 1 through 4 of subsection A of this section.
- 29 O.S. 2011, Sections 4-103, 4-SECTION 11. REPEALER 18 103A, 4-103B, 4-104, 4-104A, 4-105, 4-106, as amended by Section 2, 19 Chapter 353, O.S.L. 2017, 4-107, 4-108, 4-108A, 4-109, 4-111, as 20 amended by Section 1, Chapter 132, O.S.L. 2015, 4-113, 4-113A, 4-21 113.1, Section 1, Chapter 77, O.S.L. 2019, 4-114, as last amended by 22 Section 4, Chapter 229, O.S.L. 2017, 4-114, as amended by Section 1, 23 Chapter 112, O.S.L. 2014, 4-115, 4-116, 4-117, 4-118, 4-119, 4-120, 24

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4-121, 4-122, 4-123, 4-124, 4-128, 4-128.1, 4-129, 4-130, as amended
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    by Section 1, Chapter 235, O.S.L. 2018, Section 1, Chapter 115,
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    O.S.L. 2014, 4-136, as amended by Section 1, Chapter 134, O.S.L.
    2016, 4-138, as amended by Section 1, Chapter 167, O.S.L. 2015, 4-
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    140, as amended by Section 5, Chapter 229, O.S.L. 2017, 4-143 and 4-
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    144 (29 O.S. Supp. 2020, Sections 4-106, 4-111, 4-113.2, 4-114, 4-
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    114, 4-130, 4-135.1, 4-136, 4-138 and 4-140), are hereby repealed.
        SECTION 12. This act shall become effective November 1, 2021.
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    COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
    February 18, 2021 - DO PASS
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