

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. 1

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COMMITTEE AMENDMENT

\_\_\_\_\_

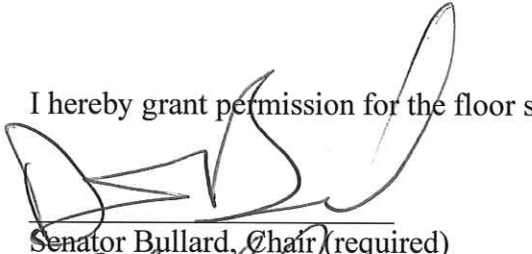
(Date)

I move to amend Senate Bill No. 876, by the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

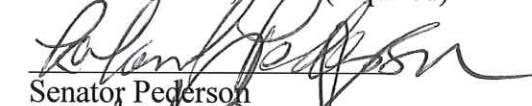
  
Senator Pederson

I hereby grant permission for the floor substitute to be adopted.

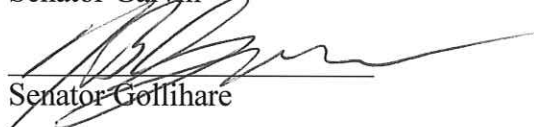


Senator Bullard, Chair (required)

\_\_\_\_\_  
Senator Garyin



Senator Pederson



Senator Gollihare

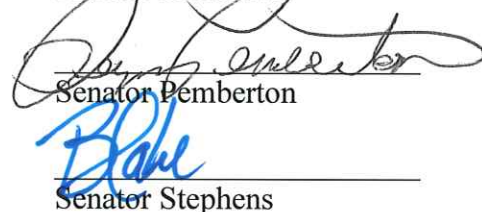


Senator Bergstrom

\_\_\_\_\_  
Senator Matthews



Senator Dahm



Senator Pemberton

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Senator Dossett

  
Senator Stephens



Senator Dugger

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Senator Treat, President Pro Tempore

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Senator McCortney, Majority Floor Leader

Note: Tourism and Wildlife committee majority requires six (6) members' signatures.

Pederson-MR-FA-SB876

2/23/2023 11:12 AM

(Floor Amendments Only)

Date and Time Filed: 2-27-23 1:36 pm *fd*

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 FLOOR SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 876

6 By: Pederson of the Senate

7 and

8 Burns of the House

9 FLOOR SUBSTITUTE

10 An Act relating to hunting; amending 29 O.S. 2021,  
11 Section 4-112A, which relates to the certificate of  
12 competency and safety; modifying age requirement;  
13 requiring applicants of a certain license to receive  
14 certificate; requiring certain individuals to apply  
15 for a hunting guide license or register with the  
16 Department of Wildlife Conservation in order to hunt  
17 in this state; directing Department to promulgate  
18 rules for licensure; requiring certain requirements  
19 of persons prior to application; exempting certain  
20 individuals from licensure; providing for penalties;  
21 updating statutory language; providing for  
22 codification; and providing an effective date.

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

24 SECTION 1. AMENDATORY 29 O.S. 2021, Section 4-112A, is  
amended to read as follows:

Section 4-112A. A. No person ~~thirty (30)~~ twenty (20) years of  
age or younger may purchase or receive any hunting license or  
hunting tag unless the person possesses and can exhibit a

1 certificate of competency and safety in the use and handling of  
2 firearms from the Department of Wildlife Conservation. The  
3 Department shall charge no fee for the issuance of certificates.  
4 Persons under ten (10) years of age may take the hunter education  
5 course but are not eligible to be tested for and receive hunter  
6 safety certification. A hunter safety certificate issued by another  
7 state or country and approved by the Department of Wildlife  
8 Conservation shall be deemed to meet the requirements of this  
9 section.

10 B. A youth hunter under sixteen (16) years of age hunting small  
11 game shall be exempt from the hunter safety certification  
12 requirements set forth in subsection A of this section if they are  
13 accompanied by a licensed hunter eighteen (18) years of age or older  
14 who possesses a certificate of hunter safety or is exempt from the  
15 hunter safety certification requirements. The accompanying hunter  
16 shall be in sight of the youth hunter and shall be able to  
17 communicate with the youth hunter in a normal voice without the aid  
18 of any communication device. A youth hunter who possesses a  
19 certificate of hunter safety may hunt small game without an  
20 accompanying hunter as long as the youth hunter carries the  
21 certification on their person.

22 C. Persons under ~~thirty (30)~~ twenty-one (21) years of age who  
23 do not possess a certificate of hunter safety may purchase or  
24 receive any hunting license or permit which is required by law with

1 the designation apprentice listed on the hunter education line of  
2 the license or permit. A person holding a license or permit with  
3 the apprentice designation shall be allowed to hunt only if they are  
4 accompanied by a licensed hunter eighteen (18) years of age or older  
5 who possesses a certificate of hunter safety or is exempt from the  
6 hunter safety certification requirements or is accompanied by a  
7 person exempt from the hunting license requirements. In addition,  
8 all persons under ten (10) years of age, when hunting big game,  
9 regardless of hunter safety certification, shall be accompanied by a  
10 licensed hunter eighteen (18) years of age or older who possesses a  
11 certificate of hunter safety or is exempt from the hunter safety  
12 certification requirements or is accompanied by a person exempt from  
13 the hunting license requirement. When hunting big game, the  
14 accompanying hunter shall be within arm's length of the apprentice  
15 hunter or close enough so that the accompanying hunter can  
16 immediately take control of the firearm or archery equipment of the  
17 apprentice hunter. When hunting small game, the accompanying hunter  
18 shall be in sight of the apprentice hunter and shall be able to  
19 communicate with the apprentice hunter in a normal voice without the  
20 aid of any communication device.

21 D. Legal residents who do not possess a certificate of hunter  
22 safety may purchase a lifetime hunting license or lifetime  
23 combination hunting/fishing license with the designation apprentice  
24 listed on the hunter education line of the license. A resident

1 holding a lifetime license with the apprentice designation shall be  
2 allowed to hunt only if they comply with the accompanying hunter  
3 requirements as set forth in subsection C of this section. Upon  
4 obtaining a certificate of hunter safety, a resident holding a  
5 lifetime license with the apprentice designation shall be entitled  
6 to renew their license without the apprentice designation.

7 E. No nonresident may purchase and receive a hunting guide  
8 license or resident may register as a hunting guide pursuant to  
9 Section 2 of this act unless the nonresident or resident possesses  
10 and can exhibit a certificate of competency and safety in the use  
11 and handling of firearms from the Department of Wildlife  
12 Conservation. The Department shall charge no fee for the issuance  
13 of this certificate. A hunter safety certificate issued by another  
14 state or country and approved by the Department of Wildlife  
15 Conservation shall be deemed to meet the requirements of this  
16 section for a nonresident. The exemption provided in subsection G  
17 of this section shall not apply to nonresidents seeking to purchase  
18 and receive a hunting guide license.

19 F. The Department of Wildlife Conservation shall promulgate  
20 rules necessary for the certification of programs for hunter safety  
21 offered by other public or private organizations.

22 ~~F.~~ G. Except as provided in subsection E of this section,  
23 the provisions of this section shall not apply to any person who has  
24 an honorable discharge from the United States Armed Forces, who is

1 currently on active duty in the United States Armed Forces or a  
2 member of the National Guard. In addition, the provisions of this  
3 section shall not apply to any person who is a resident landowner or  
4 a resident tenant, while hunting game other than deer or antelope,  
5 upon land owned or leased by the person. The provisions of this  
6 subsection shall not exempt nonresidents owning land in this state  
7 nor any person leasing land, for the purpose of hunting.

8 G. H. Any person convicted of violating the provisions of this  
9 section shall be punished by the imposition of a fine of not less  
10 than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars  
11 (\$200.00) or by imprisonment in the county jail for a period not to  
12 exceed thirty (30) days, or by both fine and imprisonment.

13 SECTION 2. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 4-112B of Title 29, unless there  
15 is created a duplication in numbering, reads as follows:

16 A. Except as otherwise provided in the Oklahoma Wildlife  
17 Conservation Code, no:

18 1. Nonresident shall assist, accompany, transport, guide, or  
19 aid persons in the taking of game for compensation or other  
20 consideration in this state without having first procured a licensed  
21 specified in subsection B of this section from the Director of  
22 Wildlife Conservation or from any of the authorized agents of the  
23 Department; and  
24

1       2. Resident shall assist, accompany, transport, guide, or aid  
2 persons in the taking of game for compensation or other  
3 consideration in this state without having first registered as a  
4 hunting guide with the Director of Wildlife Conservation or from any  
5 of the authorized agents of the Department.

6       B. The Department shall promulgate rules for a hunting guide  
7 license for nonresidents who assist, accompany, transport, guide, or  
8 aid persons in the taking of game for compensation or other  
9 consideration. All nonresidents making application for a hunting  
10 guide license or residents registering to be a hunting guide in this  
11 state shall:

12       1. Be eighteen (18) years of age or older;

13       2. Be able to produce a valid license to operate a motor  
14 vehicle or other positive proof of identification, age, and  
15 residency, and any such license issued shall show such data as well  
16 as the date and time of issuance; and

17       3. Receive a certificate of competency and safety in use and  
18 handling of firearms pursuant to subsection E of Section 4-112A of  
19 Title 29 of the Oklahoma Statutes.

20       C. The fee for a license under this section shall be  
21 promulgated by the Director.

22       D. The provisions of this section shall not:

23       1. Apply to landowners or agricultural lessees who provide such  
24 services on properties they own or lease;

1        2. Exempt a nonresident procuring a guide license or resident  
2 registering to be a guide pursuant to this section from any other  
3 hunting licenses as required by law; or

4        3. Allow the license holder to conduct guide business on any  
5 land publicly owned or managed by the Department of Wildlife  
6 Conservation.

7        E. Any individual issued a guide license by the Department or  
8 any individual registered as a hunting guide pursuant to this  
9 section shall, upon conviction of violating the provisions of this  
10 section or any rule by the Department, have his or her license  
11 immediately revoked and shall be punished by a fine not more than  
12 Two Thousand Dollars (\$2,000.00). The revocation shall be for a  
13 period set by the court of not less than one (1) year nor more than  
14 ten (10) years. If the court does not issue a period of revocation,  
15 the revocation shall be for one (1) year from the date of the  
16 conviction. During the period of revocation, the Department shall  
17 not issue the individual a hunting guide license nor can the  
18 individual register as a hunting guide with the Department. For  
19 purposes of this section, "conviction" shall mean a plea of guilty,  
20 nolo contendere, the imposition of a deferred or suspended sentence  
21 by a court, or forfeiture of bond.

22        SECTION 3. This act shall become effective November 1, 2023.  
23

24        59-1-1950 MR 2/27/2023 2:16:18 PM