

1 STATE OF OKLAHOMA

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

3 SENATE BILL 876

By: Pederson

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5
6 AS INTRODUCED

7 An Act relating to hunting; amending 29 O.S. 2021,
8 Section 4-112A, which relates to the certificate of
9 competency and safety; requiring applicants of a
10 certain license to receive certificate; requiring
11 nonresidents to apply for a hunting guide license
12 from the Department of Wildlife Conservation in order
13 to hunt in this state; directing Department to
14 promulgate rules for licensure; requiring certain
15 requirements of persons prior to application; setting
16 license fee maximum; exempting certain individuals
17 from licensure; providing for punishment; providing
18 for codification; and providing an effective date.

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

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

22 Section 4-112A. A. No person thirty (30) years of age or
23 younger may purchase or receive any hunting license or hunting tag
24 unless the person possesses and can exhibit a certificate of
competency and safety in the use and handling of firearms from the
Department of Wildlife Conservation. The Department shall charge no
fee for the issuance of certificates. Persons under ten (10) years
of age may take the hunter education course but are not eligible to

1 be tested for and receive hunter safety certification. A hunter
2 safety certificate issued by another state or country and approved
3 by the Department of Wildlife Conservation shall be deemed to meet
4 the requirements of this section.

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

17 C. Persons under thirty (30) years of age who do not possess a
18 certificate of hunter safety may purchase or receive any hunting
19 license or permit which is required by law with the designation
20 apprentice listed on the hunter education line of the license or
21 permit. A person holding a license or permit with the apprentice
22 designation shall be allowed to hunt only if they are accompanied by
23 a licensed hunter eighteen (18) years of age or older who possesses
24 a certificate of hunter safety or is exempt from the hunter safety

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

16 D. Legal residents who do not possess a certificate of hunter
17 safety may purchase a lifetime hunting license or lifetime
18 combination hunting/fishing license with the designation apprentice
19 listed on the hunter education line of the license. A resident
20 holding a lifetime license with the apprentice designation shall be
21 allowed to hunt only if they comply with the accompanying hunter
22 requirements as set forth in subsection C of this section. Upon
23 obtaining a certificate of hunter safety, a resident holding a
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1 lifetime license with the apprentice designation shall be entitled
2 to renew their license without the apprentice designation.

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

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

16 ~~F.~~ G. Except as provided in subsection E of this section,
17 the provisions of this section shall not apply to any person who has
18 an honorable discharge from the United States Armed Forces, who is
19 currently on active duty in the United States Armed Forces or a
20 member of the National Guard. In addition, the provisions of this
21 section shall not apply to any person who is a resident landowner or
22 a resident tenant, while hunting game other than deer or antelope,
23 upon land owned or leased by the person. The provisions of this
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1 subsection shall not exempt nonresidents owning land in this state
2 nor any person leasing land, for the purpose of hunting.

3 ~~G.~~ H. Any person convicted of violating the provisions of this
4 section shall be punished by the imposition of a fine of not less
5 than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars
6 (\$200.00) or by imprisonment in the county jail for a period not to
7 exceed thirty (30) days, or by both fine and imprisonment.

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

11 A. Except as otherwise provided in the Oklahoma Wildlife
12 Conservation Code, no nonresident shall assist, accompany,
13 transport, guide, or aid persons in the taking of game for
14 compensation or other consideration in this state without having
15 first procured a license specified in subsection B of this section
16 from the Director of the Department of Wildlife Conservation or from
17 any of the authorized agents of the Department.

18 B. The Department shall promulgate rules for a hunting guide
19 license for nonresidents who assist, accompany transport, guide, or
20 aid persons in the taking of game for compensation or other
21 consideration. All nonresidents making application for a hunting
22 guide license shall:

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

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

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

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

10 D. The provisions of this section shall not:

11 1. Apply to landowners or agricultural lessee who provide such
12 services on properties they own or lease;

13 2. Exempt a nonresident procuring a guide license pursuant to
14 this section from any other hunting licenses as required by law; or

15 3. Allow the license holder to conduct guide business on any
16 land publicly owned or managed by the Department of Wildlife
17 Conservation.

18 F. Any person convicted of violating the provisions of this
19 section shall be punished by a fine not more than Two Thousand
20 Dollars (\$2,000.00).

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

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