

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 3639

By: Dempsey

5  
6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to hunting; amending 29 O.S. 2021,  
9 Section 4-112, which relates to hunting licenses;  
10 modifying fees; and declaring an emergency.

11  
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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~~ paragraphs 1 and 2 of subsection C of this  
8 section:

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

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

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

15 4. Legal resident veterans having a disability of sixty percent  
16 (60%) or more;

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

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

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

24

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).  
15 Nonresidents hunting big game, combination big game and upland game  
16 or exotic wildlife in a commercial hunting area shall be required to  
17 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:

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

23 4. Archery hunting license for deer for nonresidents which  
24 shall expire on January 15 of the calendar year after the year

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~~ seasons - 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~~ seasons - Ninety-nine Dollars  
13 (\$99.00), and
- 14 c. during deer archery seasons ~~occurring prior to January~~  
15 ~~16, 2021,~~ for nonresidents which shall be valid for  
16 hunting all deer allowed during the current deer  
17 archery season - Two Hundred Ninety-nine Dollars  
18 (\$299.00), ~~and~~
- 19 ~~d. during any deer archery season occurring on or after~~  
20 ~~January 16, 2021, for nonresidents which shall be~~  
21 ~~valid for hunting all deer allowed during the current~~  
22 ~~deer archery season - Two Hundred Seventy-nine Dollars~~  
23 ~~(\$279.00);~~

24 5. Primitive firearms hunting license for deer for:

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~~ seasons -  
6 Thirty 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~~ seasons - Ninety-nine Dollars (\$99.00), and

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:

24

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;

24

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:  
24

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.

24

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  
24

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. It being immediately necessary for the preservation  
16 of the public peace, health or safety, an emergency is hereby  
17 declared to exist, by reason whereof this act shall take effect and  
18 be in full force from and after its passage and approval.

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