

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3639

By: Dempsey of the House

and

David of the Senate

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8
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10 COMMITTEE SUBSTITUTE

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

14
15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

1 a consecutive Saturday and Sunday in September of each year as free
2 hunting days in which residents of this state may hunt without first
3 procuring a hunting license pursuant to the provisions of this
4 section.

5 B. The following legal residents of Oklahoma shall be exempt
6 from the annual hunting license requirement of paragraph 1 of
7 subsection F of this section and the following nonresidents shall be
8 exempt from the annual nonresident hunting licenses required
9 pursuant to ~~paragraph~~ paragraphs 1 and 2 of subsection C of this
10 section:

- 11 1. Legal residents under sixteen (16) years of age;
- 12 2. Legal residents sixty-five (65) years of age or older
13 provided they have obtained a senior citizen lifetime hunting or
14 combination hunting and fishing license pursuant to the provisions
15 of Section 4-114 of this title;
- 16 3. Legal residents born on or before January 1, 1923;
- 17 4. Legal resident veterans having a disability of sixty percent
18 (60%) or more;
- 19 5. Legal resident owners or tenants who hunt on land owned or
20 leased by them;
- 21 6. Any nonresident under fourteen (14) years of age;
- 22 7. Legal residents having a proven disability which renders
23 them nonambulatory and confines them to a wheelchair, as certified
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1 by a physician licensed in this state or in any state which borders
2 this state;

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

6 9. Any legal resident or nonresident hunting, pursuing,
7 trapping, harassing, catching, killing, taking, or attempting to
8 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.

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

14 1. Annual hunting license for nonresidents hunting game other
15 than deer, antelope, elk or bear which expires on December 31 of the
16 year purchased - One Hundred Forty-one Dollars (\$141.00).

17 Nonresidents hunting big game, combination big game and upland game
18 or exotic wildlife in a commercial hunting area shall be required to
19 have this license;

20 2. Annual hunting license for nonresidents hunting game other
21 than deer, antelope, elk or bear which expires on June 30 of the
22 fiscal year purchased - One Hundred Seventy-five Dollars (\$175.00).

23 Nonresidents hunting big game, combination big game and upland game
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1 or exotic wildlife in a commercial hunting area shall be required to
2 have this license;

3 3. Gun hunting license for deer:

4 a. during deer gun seasons ~~occurring prior to January 16,~~
5 ~~2021,~~ for youth nonresidents seventeen (17) years of
6 age or younger which shall be valid for hunting one
7 antlerless deer allowed during the current calendar
8 year deer gun ~~season~~ seasons - Thirty Dollars
9 (\$30.00),

10 b. during deer gun seasons ~~occurring prior to January 16,~~
11 ~~2021,~~ for youth nonresidents seventeen (17) years of
12 age or younger which shall be valid for hunting one
13 antlered or antlerless deer allowed during the current
14 calendar year deer gun ~~season~~ seasons - Ninety-nine
15 Dollars (\$99.00), and

16 c. during deer gun seasons ~~occurring prior to January 16,~~
17 ~~2021,~~ for nonresidents which shall be valid for
18 hunting all deer allowed during the current calendar
19 year deer gun season - Two Hundred Ninety-nine Dollars
20 (\$299.00), ~~and~~

21 ~~d. during any deer gun season occurring on or after~~
22 ~~January 16, 2021, for nonresidents which shall be~~
23 ~~valid for hunting all deer allowed during the current~~
24

1 ~~calendar year deer gun season - Two Hundred Seventy-~~
2 ~~nine Dollars (\$279.00);~~

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

7 a. during deer archery seasons ~~occurring prior to January~~
8 ~~16, 2021,~~ for youth nonresidents seventeen (17) years
9 of age or younger which shall be valid for hunting one
10 antlerless deer allowed during the current deer
11 archery ~~season~~ seasons - Thirty Dollars (\$30.00),

12 b. during deer archery seasons ~~occurring prior to January~~
13 ~~16, 2021,~~ for youth nonresidents seventeen (17) years
14 of age or younger which shall be valid for hunting one
15 antlered or antlerless deer allowed during the current
16 deer archery ~~season~~ seasons - Ninety-nine Dollars
17 (\$99.00), and

18 c. during deer archery seasons ~~occurring prior to January~~
19 ~~16, 2021,~~ for nonresidents which shall be valid for
20 hunting all deer allowed during the current deer
21 archery season - Two Hundred Ninety-nine Dollars
22 (\$299.00), ~~and~~

23 d. ~~during any deer archery season occurring on or after~~
24 ~~January 16, 2021, for nonresidents which shall be~~

1 ~~valid for hunting all deer allowed during the current~~
2 ~~deer archery season - Two Hundred Seventy-nine Dollars~~
3 ~~(\$279.00);~~

4 5. Primitive firearms hunting license for deer for:

5 a. during deer primitive firearms seasons ~~occurring prior~~
6 ~~to January 16, 2021,~~ for youth nonresidents seventeen
7 (17) years of age or younger which shall be valid for
8 hunting one antlerless deer allowed during the current
9 calendar year deer primitive firearms ~~season~~ seasons -
10 Thirty Dollars (\$30.00),

11 b. during deer primitive firearms seasons ~~occurring prior~~
12 ~~to January 16, 2021,~~ for youth nonresidents seventeen
13 (17) years of age or younger which shall be valid for
14 hunting one antlered or antlerless deer allowed during
15 the current calendar year deer primitive firearms
16 ~~season~~ seasons - Ninety-nine Dollars (\$99.00), and

17 c. during deer primitive firearms seasons ~~occurring prior~~
18 ~~to January 16, 2021,~~ for nonresidents which shall be
19 valid for hunting all deer allowed during the current
20 calendar year deer primitive firearms season - Two
21 Hundred Ninety-nine Dollars (\$299.00), ~~and~~

22 ~~d. during any deer primitive firearms season occurring on~~
23 ~~or after January 16, 2021, for nonresidents which~~
24 ~~shall be valid for hunting all deer allowed during the~~

1 ~~current calendar year deer primitive firearms season~~

2 ~~Two Hundred Seventy-nine Dollars (\$279.00);~~

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

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

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

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

14 D. The Department of Wildlife Conservation shall provide a
15 report to both the President Pro Tempore of the Senate and the
16 Speaker of the House of Representatives by February 1 of 2019 and
17 2020 setting forth information regarding licenses issued pursuant to
18 paragraphs 3, 4 and 5 of subsection C of this section, which shall
19 include, but not be limited to:

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

22 2. A fiscal analysis comparing revenue generated from the fees
23 of the licenses issued during the most recent respective deer
24

1 hunting seasons compared to previous years and whether the deer
2 hunting license structure is beneficial to the Department.

3 E. Of the fees collected pursuant to the provisions of
4 subsection C of this section:

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

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

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

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

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

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

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

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

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

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

23 a. residents with proper certification from the United
24 States Department of Veterans Affairs or its

1 successor, certifying that the person is a disabled
2 veteran in receipt of compensation at the one-hundred-
3 percent rate, and

4 b. residents hunting in big game or combination big game
5 and upland game commercial hunting areas;

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

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

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

16 b. residents hunting in big game or combination big game
17 and upland game commercial hunting areas;

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

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

22 The following persons shall be exempt:

23 a. residents with proper certification from the United
24 States Department of Veterans Affairs or its

1 successor, certifying that the person is a disabled
2 veteran in receipt of compensation at the one-hundred-
3 percent rate, and

4 b. residents hunting in big game or combination big game
5 and upland game commercial hunting areas;

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

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

12 14. Hunting license for antelope for residents - Fifty Dollars
13 (\$50.00). Residents hunting in big game or combination big game and
14 upland game commercial hunting areas shall be exempt from this
15 license; and

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

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

3 G. Residents hunting big game, combination big game and upland
4 game or exotic wildlife in a commercial hunting area shall be
5 required to have one of the following licenses:

6 1. An annual hunting license issued pursuant to paragraph 1, 2,
7 3 or 4 of subsection F of this section;

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

10 3. A five-year hunting license or five-year combination hunting
11 and fishing license issued pursuant to Section 4-113.1 of this
12 title; or

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

15 H. Of the fees collected pursuant to the provisions of
16 paragraphs 1 and 2 of subsection F of this section, Five Dollars
17 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
18 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
19 created pursuant to the provisions of Section 4-141 of this title.

20 I. The provisions of this section shall not be construed to
21 require a hunting license, resident or nonresident, of any person
22 merely because the person participates, as owner or handler of an
23 entry, as an official, or as a spectator in the conduct of a field
24 trial or performance test of dogs, whether a resident or nonresident

1 of the State of Oklahoma. No license to hunt shall be required of
2 any person engaged in training or working dogs, provided that person
3 is in no way engaged in hunting and does not take or attempt to take
4 in any manner any game.

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

- 13 a. for legal residents, Fifty Dollars (\$50.00), and
- 14 b. for nonresidents, One Hundred Forty-five Dollars
15 (\$145.00).

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

21 K. Any person producing proof in court that a current hunting
22 license issued by the Department of Wildlife Conservation to that
23 person was in force at the time of the alleged offense shall be
24 entitled to dismissal of a charge of violating this section upon

1 payment of court costs. If proof of a current hunting license
2 issued by the Department to the person that was in force at the time
3 of the alleged offense is presented to the court or district
4 attorney within seventy-two (72) hours after the violation, the
5 charge shall be dismissed without payment of court costs.

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

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

18 SECTION 2. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

22
23 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 03/07/2022 - DO
24 PASS, As Amended and Coauthored.