

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1373

By: Brecheen

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5  
6 AS INTRODUCED

7 An Act relating to wildlife; amending 29 O.S. 2011,  
8 Section 6-204, as amended by Section 1, Chapter 130,  
9 O.S.L. 2015 (29 O.S. Supp. 2015, Section 6-204),  
10 which relates to commercial turtle harvesting;  
11 modifying waters allowing commercial turtle  
12 harvesting; prohibiting the Wildlife Conservation  
13 Commission from promulgating certain rules; and  
14 providing an effective date.

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

16 SECTION 1. AMENDATORY 29 O.S. 2011, Section 6-204, as  
17 amended by Section 1, Chapter 130, O.S.L. 2015 (29 O.S. Supp. 2015,  
18 Section 6-204), is amended to read as follows:

19 Section 6-204. A. Except as otherwise provided by subsection B  
20 of this section, no person may net or trap aquatic turtles for  
21 commercial purposes or assist in such operations or buy, barter,  
22 trade or export any aquatic turtles from this state without having  
23 first obtained a valid commercial turtle harvester's license and  
24 without observing the following requirements:

1 1. All types of traps shall have an identification tag with the  
2 owner's name and license number attached and the name and license  
3 number of all persons authorized to operate the traps or nets;

4 2. Aquatic turtles may be harvested for commercial purposes  
5 only from private ponds, with permission of the pond owner and from  
6 municipal lakes, with written permission of the municipal authority;

7 3. Traps and nets must be cleaned and emptied at least once  
8 every forty-eight (48) hours;

9 4. Any game or nongame fish trapped or netted during a turtle  
10 harvesting operation shall be immediately released to the water; and

11 5. Legally taken nongame fish and their parts may be utilized  
12 for bait in turtle harvesting operations.

13 B. No person may take for commercial purposes by any means, or  
14 assist in any such operations, turtles or aquatic turtles from any  
15 scenic river area of this state as such areas are designated  
16 pursuant to Section 1452 of Title 82 of the Oklahoma Statutes or  
17 from ~~any major river channel specifically designated by rule by the~~  
18 ~~Oklahoma Wildlife Conservation Commission to be restricted from~~  
19 ~~commercial turtle or aquatic turtle harvesting~~ other waters  
20 designated in Section 4-103A of this title.

21 C. The Commission may promulgate other rules it deems necessary  
22 to implement the provisions of this section. Provided, however, the  
23 Commission shall not promulgate or enforce any rule closing  
24 commercial turtle harvesting to all waters in the state.

1 D. Any equipment used in violation of this section shall be  
2 confiscated and become the property of the Department or disposed of  
3 according to law.

4 E. Any person convicted of violating the provisions of this  
5 section shall be punished by a fine of not less than One Hundred  
6 Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or by  
7 imprisonment in the county jail for a period not to exceed thirty  
8 (30) days or by both such fine and imprisonment.

9 SECTION 2. This act shall become effective November 1, 2016.

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