

1 **SENATE FLOOR VERSION**

February 8, 2023

2 **AS AMENDED**

3 SENATE BILL NO. 648

By: Bergstrom and Garvin

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6 An Act relating to feral swine; amending 29 O.S.
2021, Section 4-135, as amended by Section 1, Chapter
7 171, O.S.L. 2022 (29 O.S. Supp. 2022, Section 4-135),
which relates to permits to control nuisance or
8 damage by wildlife; removing provision for night
hunting and requirement to prove certain exemption;
9 and providing an effective date.

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

13 **SECTION 1.** AMENDATORY 29 O.S. 2021, Section 4-135, as
14 amended by Section 1, Chapter 171, O.S.L. 2022 (29 O.S. Supp. 2022,
15 Section 4-135), is amended to read as follows:

16 Section 4-135. A. The Department of Wildlife Conservation is
17 authorized to issue permits to landowners, agricultural lessees, or
18 their designated agents with written permission of the landowner or
19 agricultural lessee and to any entity of state, county, or local
20 government to control nuisance or damage by any species of wildlife
21 including, but not limited to, beaver, coyote, deer, bobcat, raccoon
22 and crow under rules promulgated by the Oklahoma Wildlife
23 Conservation Commission. The permits may be issued without
24 limitation by statewide season regulations, bag limits or methods of

1 taking. A permitted landowner, agricultural lessee or a designated
2 agent with written permission of the landowner or agricultural
3 lessee may, with a valid permit issued pursuant to this section,
4 control the wildlife specified in this subsection **and feral swine** at
5 night to protect marketable agricultural crops, livestock or
6 processed feed, seed or other materials used in the production of an
7 agricultural commodity.

8 B. Except as otherwise specified in this subsection, the permit
9 to hunt at night shall be valid for a period of up to one (1) year
10 from the date the permit was issued. ~~Landowners or agricultural~~
11 ~~lessees with a valid permit shall be required to have a current~~
12 ~~agricultural exemption permit issued by the Oklahoma Tax Commission.~~

13 C. Notwithstanding the provisions of Section 5-203.1 of this
14 title, a landowner, agricultural lessee, or designated agent with
15 written permission of the landowner and with a valid permit may use
16 a headlight carried on the person while hunting at night. Nothing
17 in this section shall authorize the use of a headlight mounted on a
18 vehicle or the use of a headlight from a public roadway.

19 D. Any person who has been convicted of, or pled guilty to, a
20 violation of Section 5-203.1 or Section 5-411 of this title within
21 the previous three (3) years shall not be eligible to receive a
22 permit pursuant to this section. The permit can be issued by the
23 local game warden in the county for which the permit is to be used

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1 or by the Law Enforcement Division of the Department of Wildlife
2 Conservation.

3 E. It shall be lawful for any private landowner or designated
4 employee of the landowner or lessee to have a chamber-loaded firearm
5 on property owned by the landowner, and to use the firearm for the
6 purpose of controlling nuisance or damage by any wildlife or feral
7 swine. Nothing in this section shall authorize any convicted felon
8 to carry a firearm.

9 SECTION 2. This act shall become effective November 1, 2023.

10 COMMITTEE REPORT BY: COMMITTEE ON TOURISM AND WILDLIFE
11 February 8, 2023 - DO PASS AS AMENDED
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