

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 541

By: Murdock

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5
6 AS INTRODUCED

7 An Act relating to hunting; amending 29 O.S. 2011,
8 Section 5-401, as amended by Section 1, Chapter 169,
9 O.S.L. 2013 (29 O.S. Supp. 2018, Section 5-401),
10 which relates to Wildlife Conservation Commission
11 powers; requiring open season for antelope during
12 deer gun and deer archery season; and providing an
13 effective date.

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

15 SECTION 1. AMENDATORY 29 O.S. 2011, Section 5-401, as
16 amended by Section 1, Chapter 169, O.S.L. 2013 (29 O.S. Supp. 2018,
17 Section 5-401), is amended to read as follows:

18 Section 5-401. A. The Wildlife Conservation Commission is
19 authorized to declare an open season on wildlife in any counties or
20 parts of counties of this state where, in the judgment of the
21 Commission, such wildlife exists in sufficient quantity to warrant
22 such open season, and such open season shall be declared by
23 Commission resolution not less than ten (10) days before the season
24 is opened.

1 B. The Commission may designate any two (2) consecutive days
2 after the open season declared for hunting deer to be senior
3 citizen's hunting days. During those two (2) days only legal
4 residents of Oklahoma who are sixty-four (64) years of age or older
5 may hunt deer provided the person has a valid license as otherwise
6 provided by law.

7 C. The Commission is further authorized to declare an open
8 season on mountain lions and black bears.

9 D. Except as provided in ~~subsection~~ subsections E and F of this
10 section, the Commission is further authorized to prescribe rules
11 necessary to the proper conduct and policing of such open season,
12 the amount and kind of wildlife that may be taken, and the dates and
13 time limits of such season.

14 E. Any bowfishing season set for nongame fish by the Commission
15 for the Upper Illinois River shall include the following:

16 1. Upstream from the Horseshoe Bend boat ramp to where State
17 Highway 51 crosses the Illinois River bowfishing is permitted from
18 June 1 to March 31; and

19 2. Upstream from where State Highway 51 crosses the Illinois
20 River bowfishing is permitted from December 1 through March 31.

21 F. Any season set for antelope shall include the following:

22 1. Antelope archery season shall be open during deer archery
23 season; and

24 2. Antelope gun season shall be open during deer gun season.
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1 G. The Commission is further authorized to require any person
2 participating in such open season or hunting in open areas during
3 open season to procure, under rules prescribed by the Commission, a
4 special permit or license to participate in such season or hunt in
5 such areas during open season and to charge residents not to exceed
6 Twenty Dollars (\$20.00), nonresidents not to exceed Seventy-five
7 Dollars (\$75.00) and further providing that Five Dollars (\$5.00) of
8 this fee shall be set aside for compensation to Oklahoma surface
9 holders participating in the Acres for Wildlife Program at a rate to
10 be determined by the Wildlife Conservation Commission. No
11 exemptions shall be permitted.

12 ~~G.~~ H. Open seasons, closed seasons, bag limits, catch limits,
13 possession limits and territorial limitations set forth in the
14 statutes of this state, pertaining to wildlife of every sort, are
15 hereby declared to be based on the existence of a normal population
16 of such species of wildlife, compatible with and not damaging to the
17 proper agricultural use of the lands of the state.

18 ~~H.~~ I. Such seasons, catch limits, bag limits, possession limits
19 and territorial limitations as set by statute shall prevail and be
20 in full force and effect for each and every species of wildlife to
21 which they pertain so long as the population or numbers of such
22 wildlife species remain normal or are not damaging or endangering
23 crops or proper agricultural use of the lands of the state.
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1 ~~F.~~ J. The Commission in session, and after having given ten
2 (10) days' public notice of such meeting being called and the
3 purpose of such meeting, the species of wildlife to be considered
4 and the reasons therefor, shall have the right to determine if there
5 does or does not exist a normal population of the wildlife species
6 under consideration, which does or does not endanger the crops of
7 the state or of any certain areas, or the agricultural use of the
8 lands therein. In the event the consideration is other than
9 statewide, the Commission shall meet at the most convenient place to
10 the people of the area in the area being considered. All meetings
11 shall be open to the public and proper records of those appearing
12 and testifying shall be made. If the Commission, after hearing and
13 after investigation, finds that the populations of the wildlife
14 species under hearing are not normal or that they are not compatible
15 to the agricultural use of the lands or are damaging or endangering
16 the farm crops of the area, they shall, by administrative order,
17 make the necessary changes by either extending, shortening, opening
18 or closing such seasons, and change such bag limits, catch limits
19 and possession limits, and regulate methods or devices for taking,
20 killing or capturing of the wildlife species affected in any area or
21 areas covered by the notice of meeting and hearing, except as
22 otherwise set by the Legislature.

23 ~~F.~~ K. Such administrative order shall take effect after
24 publication in at least one newspaper of general state circulation,

1 or in a newspaper having circulation in the territory affected. A
2 copy of all such orders shall, before publication, be filed with the
3 Secretary of State, and such order shall not be construed as
4 authorizing the Commission to change any penalty for violating any
5 game law or regulation or change the amount of any license
6 established by the Legislature.

7 SECTION 2. This act shall become effective October 1, 2019.

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