

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 876

6 By: Pederson

7 COMMITTEE SUBSTITUTE

8 An Act relating to hunting; amending 29 O.S. 2021,
9 Section 4-112A, which relates to the certificate of
10 competency and safety; requiring applicants of a
11 certain license to receive certificate; requiring
12 certain individuals to apply for a hunting guide
13 license or register with the Department of Wildlife
14 Conservation in order to hunt in this state;
15 directing Department to promulgate rules for
16 licensure; requiring certain requirements of persons
17 prior to application; exempting certain individuals
18 from licensure; providing for penalties; updating
19 statutory language; providing for codification; and
20 providing an effective date.

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

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

24 Section 4-112A. A. No person thirty (30) years of age or
younger may purchase or receive any hunting license or hunting tag
unless the person possesses and can exhibit a certificate of
competency and safety in the use and handling of firearms from the
Department of Wildlife Conservation. The Department shall charge no
fee for the issuance of certificates. Persons under ten (10) years

1 of age may take the hunter education course but are not eligible to
2 be tested for and receive hunter safety certification. A hunter
3 safety certificate issued by another state or country and approved
4 by the Department of Wildlife Conservation shall be deemed to meet
5 the requirements of this section.

6 B. A youth hunter under sixteen (16) years of age hunting small
7 game shall be exempt from the hunter safety certification
8 requirements set forth in subsection A of this section if they are
9 accompanied by a licensed hunter eighteen (18) years of age or older
10 who possesses a certificate of hunter safety or is exempt from the
11 hunter safety certification requirements. The accompanying hunter
12 shall be in sight of the youth hunter and shall be able to
13 communicate with the youth hunter in a normal voice without the aid
14 of any communication device. A youth hunter who possesses a
15 certificate of hunter safety may hunt small game without an
16 accompanying hunter as long as the youth hunter carries the
17 certification on their person.

18 C. Persons under thirty (30) years of age who do not possess a
19 certificate of hunter safety may purchase or receive any hunting
20 license or permit which is required by law with the designation
21 apprentice listed on the hunter education line of the license or
22 permit. A person holding a license or permit with the apprentice
23 designation shall be allowed to hunt only if they are accompanied by
24 a licensed hunter eighteen (18) years of age or older who possesses

1 a certificate of hunter safety or is exempt from the hunter safety
2 certification requirements or is accompanied by a person exempt from
3 the hunting license requirements. In addition, all persons under
4 ten (10) years of age, when hunting big game, regardless of hunter
5 safety certification, shall be accompanied by a licensed hunter
6 eighteen (18) years of age or older who possesses a certificate of
7 hunter safety or is exempt from the hunter safety certification
8 requirements or is accompanied by a person exempt from the hunting
9 license requirement. When hunting big game, the accompanying hunter
10 shall be within arm's length of the apprentice hunter or close
11 enough so that the accompanying hunter can immediately take control
12 of the firearm or archery equipment of the apprentice hunter. When
13 hunting small game, the accompanying hunter shall be in sight of the
14 apprentice hunter and shall be able to communicate with the
15 apprentice hunter in a normal voice without the aid of any
16 communication device.

17 D. Legal residents who do not possess a certificate of hunter
18 safety may purchase a lifetime hunting license or lifetime
19 combination hunting/fishing license with the designation apprentice
20 listed on the hunter education line of the license. A resident
21 holding a lifetime license with the apprentice designation shall be
22 allowed to hunt only if they comply with the accompanying hunter
23 requirements as set forth in subsection C of this section. Upon
24 obtaining a certificate of hunter safety, a resident holding a

1 lifetime license with the apprentice designation shall be entitled
2 to renew their license without the apprentice designation.

3 E. No nonresident may purchase and receive a hunting guide
4 license or resident may register as a hunting guide pursuant to
5 Section 2 of this act unless the nonresident or resident possesses
6 and can exhibit a certificate of competency and safety in the use
7 and handling of firearms from the Department of Wildlife
8 Conservation. The Department shall charge no fee for the issuance
9 of this certificate. A hunter safety certificate issued by another
10 state or country and approved by the Department of Wildlife
11 Conservation shall be deemed to meet the requirements of this
12 section for a nonresident. The exemption provided in subsection G
13 of this section shall not apply to nonresidents seeking to purchase
14 and receive a hunting guide license.

15 F. The Department of Wildlife Conservation shall promulgate
16 rules necessary for the certification of programs for hunter safety
17 offered by other public or private organizations.

18 ~~F.~~ The G. Except as provided in subsection E of this section,
19 the provisions of this section shall not apply to any person who has
20 an honorable discharge from the United States Armed Forces, who is
21 currently on active duty in the United States Armed Forces or a
22 member of the National Guard. In addition, the provisions of this
23 section shall not apply to any person who is a resident landowner or
24 a resident tenant, while hunting game other than deer or antelope,

1 upon land owned or leased by the person. The provisions of this
2 subsection shall not exempt nonresidents owning land in this state
3 nor any person leasing land, for the purpose of hunting.

4 ~~G.~~ H. Any person convicted of violating the provisions of this
5 section shall be punished by the imposition of a fine ~~of~~ not less
6 than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars
7 (\$200.00) or by imprisonment in the county jail for a period not to
8 exceed thirty (30) days, or by both fine and imprisonment.

9 SECTION 2. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 4-112B of Title 29, unless there
11 is created a duplication in numbering, reads as follows:

12 A. Except as otherwise provided in the Oklahoma Wildlife
13 Conservation Code, no:

14 1. Nonresident shall assist, accompany, transport, guide, or
15 aid persons in the taking of game for compensation or other
16 consideration in this state without having first procured a licensed
17 specified in subsection B of this section from the Director of
18 Wildlife Conservation or from any of the authorized agents of the
19 Department; and

20 2. Resident shall assist, accompany, transport, guide, or aid
21 persons in the taking of game for compensation or other
22 consideration in this state without having first registered as a
23 hunting guide with the Director of Wildlife Conservation or from any
24 of the authorized agents of the Department.

1 B. The Department shall promulgate rules for a hunting guide
2 license for nonresidents who assist, accompany, transport, guide, or
3 aid persons in the taking of game for compensation or other
4 consideration. All nonresidents making application for a hunting
5 guide license or residents registering to be a hunting guide in this
6 state shall:

7 1. Be eighteen (18) years of age or older;

8 2. Be able to produce a valid license to operate a motor
9 vehicle or other positive proof of identification, age, and
10 residency, and any such license issued shall show such data as well
11 as the date and time of issuance; and

12 3. Receive a certificate of competency and safety in use and
13 handling of firearms pursuant to subsection E of Section 4-112A of
14 Title 29 of the Oklahoma Statutes.

15 C. The fee for a license under this section shall be
16 promulgated by the Director.

17 D. The provisions of this section shall not:

18 1. Apply to landowners or agricultural lessees who provide such
19 services on properties they own or lease;

20 2. Exempt a nonresident procuring a guide license or resident
21 registering to be a guide pursuant to this section from any other
22 hunting licenses as required by law; or

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1 3. Allow the license holder to conduct guide business on any
2 land publicly owned or managed by the Department of Wildlife
3 Conservation.

4 E. Any person convicted of violating the provisions of this
5 section shall be punished by a fine not more than Two Thousand
6 Dollars (\$2,000.00).

7 SECTION 3. This act shall become effective November 1, 2023.

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9 59-1-1858 MR 2/13/2023 11:42:56 AM

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