

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. 2

COMMITTEE AMENDMENT

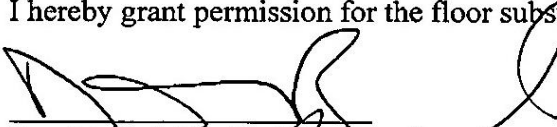
(Date)

I move to amend Senate Bill No. 876, by the attached floor substitute (#3522) for the title, enacting clause and entire body of the measure.

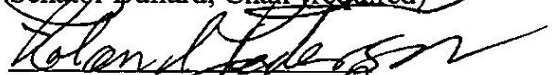
Submitted by:


Senator Pederson

I hereby grant permission for the floor substitute to be adopted.


Senator Bullard, Chair (required)

Senator Garvin



Senator Pederson

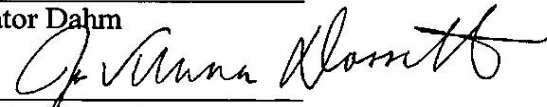
Senator Gollihare


Senator Bergstrom

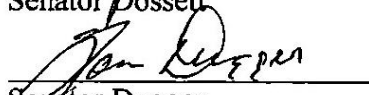
Senator Matthews

Senator Dahm


Senator Pemberton


Senator Dossett

Senator Stephens


Senator Dugger

Senator Treat, President Pro Tempore

Senator McCortney, Majority Floor Leader

Note: Tourism and Wildlife committee majority requires six (6) members' signatures.

Pederson-MR-FS-SB876
2/13/2024 4:27 PM

(Floor Amendments Only)

Date and Time Filed: 2-14-24

11:20 am *fd*

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 876

6 By: Pederson of the Senate

7 and

8 Burns of the House

9 FLOOR SUBSTITUTE

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

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

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

Section 4-112A. A. No person ~~thirty (30)~~ twenty (20) years of
age or younger may purchase or receive any hunting license or
hunting tag unless the person possesses and can exhibit a

1 certificate of competency and safety in the use and handling of
2 firearms from the Department of Wildlife Conservation. The
3 Department shall charge no fee for the issuance of certificates.
4 Persons under ten (10) years of age may take the hunter education
5 course but are not eligible to be tested for and receive hunter
6 safety certification. A hunter safety certificate issued by another
7 state or country and approved by the Department of Wildlife
8 Conservation shall be deemed to meet the requirements of this
9 section.

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

22 C. Persons under ~~thirty (30)~~ twenty-one (21) years of age who
23 do not possess a certificate of hunter safety may purchase or
24 receive any hunting license or permit which is required by law with

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

21 D. Legal residents who do not possess a certificate of hunter
22 safety may purchase a lifetime hunting license or lifetime
23 combination hunting/fishing license with the designation apprentice
24 listed on the hunter education line of the license. A resident

1 holding a lifetime license with the apprentice designation shall be
2 allowed to hunt only if they comply with the accompanying hunter
3 requirements as set forth in subsection C of this section. Upon
4 obtaining a certificate of hunter safety, a resident holding a
5 lifetime license with the apprentice designation shall be entitled
6 to renew ~~their~~ his or her license without the apprentice
7 designation.

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

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

23 F.—The
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1 G. Except as provided in subsection E of this section, the
2 provisions of this section shall not apply to any person who has an
3 honorable discharge from the United States Armed Forces, who is
4 currently on active duty in the United States Armed Forces or a
5 member of the National Guard. In addition, the provisions of this
6 section shall not apply to any person who is a resident landowner or
7 a resident tenant, while hunting game other than deer or antelope,
8 upon land owned or leased by the person. The provisions of this
9 subsection shall not exempt nonresidents owning land in this state
10 nor any person leasing land, for the purpose of hunting.

11 ~~G.~~ H. Any person convicted of violating the provisions of this
12 section shall be punished by the imposition of a fine ~~of~~ not less
13 than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars
14 (\$200.00) or by imprisonment in the county jail for a period not to
15 exceed thirty (30) days, or by both fine and imprisonment.

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

19 A. Except as otherwise provided in the Oklahoma Wildlife
20 Conservation Code, no:

21 1. Nonresident shall assist, accompany, transport, guide, or
22 aid persons in the taking of game for compensation or other
23 consideration in this state without having first procured a license
24 specified in subsection B of this section from the Director of

1 Wildlife Conservation or from any of the authorized agents of the
2 Department of Wildlife Conservation; and

3 2. Resident shall assist, accompany, transport, guide, or aid
4 persons in the taking of game for compensation or other
5 consideration in this state without having first registered as a
6 hunting guide with the Director of Wildlife Conservation or from any
7 of the authorized agents of the Department.

8 B. The Department shall promulgate rules for a hunting guide
9 license for nonresidents who assist, accompany, transport, guide, or
10 aid persons in the taking of game for compensation or other
11 consideration. All nonresidents making application for a hunting
12 guide license or residents registering to be a hunting guide in this
13 state shall:

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

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

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

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

24 D. The provisions of this section shall not:

1 1. Apply to landowners who provide such services on properties
2 they own or lease;

3 2. Apply to lessees of rural land who provide such services on
4 properties leased by such individuals as a farming or ranching
5 business pursuant to Section 951 of Title 18 of the Oklahoma
6 Statutes or, if they have indicated to the landowner or lessor, the
7 primary use of the leased land is agricultural;

8 3. Exempt a nonresident procuring a hunting guide license or
9 resident registering to be a hunting guide pursuant to this section
10 from any other hunting licenses as required by law; or

11 4. Allow the license holder to conduct guide business on any
12 land publicly owned or managed by the Department of Wildlife
13 Conservation.

14 E. Any individual issued a hunting guide license by the
15 Department or any individual registered as a hunting guide pursuant
16 to this section shall, upon conviction of violating the provisions
17 of this section or any rule by the Department, have his or her
18 license immediately revoked and shall be punished by a fine not more
19 than Two Thousand Dollars (\$2,000.00). The revocation shall be for
20 a period set by the court not less than one (1) year nor more than
21 ten (10) years. If the court does not issue a period of revocation,
22 the revocation shall be for one (1) year from the date of the
23 conviction. During the period of revocation, the Department shall
24 not issue the individual a hunting guide license nor can the

1 individual register as a hunting guide with the Department. For
2 purposes of this section, "conviction" shall mean a plea of guilty
3 or nolo contendere, the imposition of a deferred or suspended
4 sentence by a court, or forfeiture of bond.

5 SECTION 3. This act shall become effective November 1, 2024.

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7 59-2-3522 MR 2/14/2024 11:40:42 AM

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