STATE OF OKLAHOMA
1st Session of the 59th Legislature (2023)

HOUSE BILL 2355

By: Dempsey

AS INTRODUCED

An Act relating to game and fish; amending 29 O.S. 2021, Sections 4-114, 4-130 and Section 5-213, as amended by Section 1, Chapter 253, O.S.L. 2022 (29 O.S. Supp. 2022, Section 5-213), which relate to hunting; providing that holders of certain valid lifetime licenses are exempt from having to purchase certain licenses, stamps, permits, and tags; providing that lifetime hunting and combination lifetime hunting and fishing license holders are exempt from having to purchase a state waterfowl stamp; allowing the use of air bows during all open hunting seasons; and declaring an emergency.

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

SECTION 1. AMENDATORY 29 O.S. 2021, Section 4-114, is amended to read as follows:

Section 4-114. A. All legal residents who have resided in the state for at least six (6) months and intend to remain residents may purchase lifetime fishing licenses, lifetime hunting licenses or lifetime combination hunting and fishing licenses from the State Wildlife Conservation Director.

B. The fee for these licenses shall be:
1. Lifetime fishing license, Two Hundred Dollars ($200.00);
2. Lifetime hunting license, Six Hundred Dollars ($600.00);
3. Lifetime combination hunting and fishing license, Seven Hundred Fifty Dollars ($750.00);
4. Senior citizen lifetime hunting license for persons sixty-five (65) years of age or older, Fifteen Dollars ($15.00);
5. Senior citizen lifetime fishing license for persons sixty-five (65) years of age or older, Fifteen Dollars ($15.00); and
6. Senior citizen lifetime combination hunting and fishing license for persons sixty-five (65) years of age or older, Twenty-five Dollars ($25.00).

C. Legal A legal resident having proper certification from the United States Department of Veterans Affairs or its successor certifying that the person is a disabled veteran and registered with the veterans registry created by the Oklahoma Department of Veterans Affairs may purchase a disability lifetime combination hunting and fishing license from the State Wildlife Conservation Director. The fees for the license shall be as follows:

1. Two Hundred Dollars ($200.00) for veterans having a disability of less than sixty percent (60%); and
2. Twenty-five Dollars ($25.00) for veterans having a disability of sixty percent (60%) or more.

D. The use of the licenses provided in this section are subject to those restrictions provided by statute and the regulations of the
Wildlife Conservation Commission. Except as otherwise provided for in this section, each lifetime hunting license issued pursuant to subsections B and C of this section shall be in lieu of all annual hunting licenses, all species specific licenses, including but not limited to deer, elk, antelope, turkey, and bear, Oklahoma waterfowl hunting stamp, wildlife conservation passport, fur license, annual trapping license, controlled hunt permits, all carcass tags, and all special season permits.

E. Should any lifetime license be lost or destroyed, a duplicate will be issued by the Department of Wildlife Conservation for a fee of Ten Dollars ($10.00).

F. A lifetime licensee shall not lose the privileges of such license by a subsequent transfer of residency.

G. 1. In addition to the fees imposed pursuant to paragraphs 1 through 3 of subsection B of this section, a person purchasing a lifetime fishing, hunting or combination license, excluding a senior citizen lifetime hunting, fishing or combination hunting and fishing license issued pursuant to paragraphs 4 through 6 of subsection B of this section and a disability lifetime combination hunting and fishing license issued pursuant to subsection C of this section, shall be required to purchase a Lifetime Oklahoma Wildlife Land Stamp. Each person shall have the stamp in their possession while hunting, fishing, or taking any wildlife. The fee for the Lifetime
Oklahoma Wildlife Land Stamp shall be Twenty-five Dollars ($25.00).

The fee for the stamp shall be distributed as follows:

a. Twenty Dollars ($20.00) from each stamp shall be deposited in the Oklahoma Wildlife Land Fund, created in Section 4-141 of this title, to be used to retire the obligations and related expenses as authorized pursuant to Section 168.9 of Title 73 of the Oklahoma Statutes or to purchase, lease, or purchase easements on real property to be used as public hunting, fishing, and trapping areas, and

b. Five Dollars ($5.00) from each stamp shall be deposited in the Oklahoma Wildlife Land Fund, created in Section 4-141 of this title, to be used by the Commission for management of the real property acquired pursuant to Section 168.9 of Title 73 of the Oklahoma Statutes or acquired with proceeds from the Oklahoma Wildlife Land Stamp fee.

2. The Oklahoma Wildlife Conservation Commission shall prescribe, by rule, the form, design, and manner of issuance of the Lifetime Oklahoma Wildlife Land Stamp.

3. Within one (1) year of the final retirement, redemption, or defeasance of the obligations created pursuant to Section 168.9 of Title 73 of the Oklahoma Statutes, the Lifetime Oklahoma Wildlife
Land Stamp and Lifetime Oklahoma Wildlife Land Stamp fee requirements provided for in this subsection shall terminate.

H. A person who is sixty-four (64) years of age shall be eligible to purchase a senior citizen lifetime license issued pursuant to paragraphs 4 through 6 of subsection B of this section during the calendar year in which the person turns sixty-five (65) years of age.

I. The fee for a lifetime fishing license, a lifetime hunting license, or a lifetime combination hunting and fishing license issued pursuant to paragraphs 1 through 3 of subsection B of this section for a legal resident under eighteen (18) years of age may be paid for by installments not to exceed a three-year period of time and in a manner determined by the Director. The lifetime license shall not be issued and become valid until full payment is received by the Department of Wildlife Conservation. If the entire amount of the license fee is not received within three (3) years from the date the application for installment payments is submitted to the Department, all funds received shall be forfeited and shall not be refunded.

J. The Oklahoma Wildlife Conservation Commission shall promulgate any rules necessary to implement the provisions of this section.

SECTION 2. AMENDATORY 29 O.S. 2021, Section 4-130, is amended to read as follows:
Section 4-130. A. Except as otherwise provided in the Oklahoma Wildlife Conservation Code, no person may hunt or take any waterfowl during the open season on waterfowl unless the person has first obtained an Oklahoma waterfowl hunting stamp or license from the Director or authorized agents of the Director. Each person shall have the stamp or license in their possession when hunting or taking any waterfowl. When a stamp is purchased, the stamp shall be validated by the signature of the licensee written across the face of the stamp.

B. Persons excepted from the Oklahoma waterfowl hunting stamp or license requirement of this section are:

1. Legal residents of Oklahoma under sixteen (16) years of age;

2. Legal residents of Oklahoma who have a valid lifetime hunting, or combination lifetime hunting and fishing license;

3. Legal residents of Oklahoma who have a valid senior citizen lifetime hunting or senior citizen lifetime combination hunting and fishing license; and

4. Legal residents of Oklahoma sixty-five (65) years of age or older.

C. 1. The Oklahoma waterfowl hunting stamp fee and waterfowl license shall each be Nine Dollars ($9.00). The remainder of the fee shall be deposited in the Wildlife Conservation Fund, to be used exclusively in the State of Oklahoma, for the purpose of developing,
managing, preserving, restoring and maintaining wetland habitats and for the conservation and management of waterfowl and ecologically related species.

2. The collection and remittance procedures applicable to hunting license fees under this title shall apply to waterfowl stamp or license fees.

3. The waterfowl stamp or license issued pursuant to this section shall expire on June 30 of each year.

D. The Oklahoma Wildlife Conservation Commission may prescribe, by regulation, the form, design and manner of issuance, if any, of the waterfowl stamp, which could include the selection of art for such stamp from an art contest regulated by the Commission.

E. 1. Any person arrested for hunting or taking any waterfowl during the open season on waterfowl without a valid Oklahoma waterfowl hunting stamp or license as required by the provisions of subsection A of this section may purchase a substitute temporary thirty-day stamp or license from the arresting game warden in lieu of posting bond. Proof of hunter safety certification shall not be required for the temporary substitute stamp or license. The fee for a substitute stamp or license purchased pursuant to the provisions of this subsection shall be:

a. for legal residents – Fifty Dollars ($50.00), and

b. for nonresidents – One Hundred Forty-five Dollars ($145.00).
2. The fees from the temporary stamp and license purchased pursuant to the provisions of this subsection shall be deposited in the Wildlife Conservation Fund, to be used exclusively in the State of Oklahoma, for the purpose of developing, managing, preserving, restoring and maintaining wetland habitats and for the conservation and management of waterfowl and ecologically related species.

F. Any person convicted of violating any of the provisions of this section shall be punished by a fine of not less than Twenty-five Dollars ($25.00) nor more than One Hundred Dollars ($100.00).

G. Nothing in this title shall prohibit a person from hunting waterfowl exclusively on their own property without an Oklahoma waterfowl hunting stamp or license.

SECTION 3. AMENDATORY 29 O.S. 2021, Section 5-213, as amended by Section 1, Chapter 253, O.S.L. 2022 (29 O.S. Supp. 2022, Section 5-213), is amended to read as follows:

Section 5-213. A. The use of crossbows and conventional longbows with a device that permits the bow to be held mechanically at full or partial draw, shall be a legal hunting method during any open season when conventional longbows are a legal means of take.

B. The use of air bows shall be a legal hunting method during any open season when rifles are a legal means of take. No person may hunt or take during the open season with an air bow unless the person has first obtained a stamp issued by the Oklahoma Wildlife
Conservation Commission for a one-time fee of Twenty Dollars ($20.00).

C. At such time as the Federal Aid in Wildlife Restoration Act is amended to expand the excise tax on sporting arms and ammunition to include air bows and air guns, the stamp pursuant to subsection B of this section shall no longer be required, and authorization for the continual use of air bows as a legal means of take shall be established by rules promulgated by the Commission.

SECTION 4. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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