

An Act

ENROLLED HOUSE
BILL NO. 1857

By: Wright of the House

and

Boggs of the Senate

An Act relating to game and fish; amending 29 O.S. 2011, Section 4-111, which relates to the fur dealer's license; limiting certain notice requirements to nonresidents; updating statutory language; amending 29 O.S. 2011, Section 5-501, which relates to permission to trap on inhabited lands; modifying requirement to keep certain permits on the person while tending traps; amending 29 O.S. 2011, Section 5-502, as amended by Section 1, Chapter 165, O.S.L. 2012 (29 O.S. Supp. 2014, Section 5-502), which relates to trapping devices; updating statutory language; modifying requirement to post signs in certain areas; deleting requirement for certain employees engaged in wildlife management activities to post signs in certain areas when using certain traps; and providing an effective date.

SUBJECT: Game and fish

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

SECTION 1. AMENDATORY 29 O.S. 2011, Section 4-111, is amended to read as follows:

Section 4-111. A. No person may buy, barter or deal in any fur or pelt of furbearers in this state without having first procured a license for such from the Director.

B. ~~Fur dealers must~~ A nonresident fur dealer shall provide advance notice of each and every place where ~~such~~ business is

transacted. ~~Such notice~~ Notice shall be to the Director in the manner prescribed by the Commission.

~~C.~~ It shall be illegal and punishable under the provisions of this section, for anyone not having a current fur dealer's license to sell, barter or deal in any fur or pelt of furbearers in this state for shipment of ~~said~~ the fur or pelt out of state without having obtained a current license and without reporting said sale to the Director.

~~D.~~ C. The fee for a license under this section shall be One Hundred Dollars (\$100.00) for residents. The fee for a license under this section for nonresidents who reside in a state which charges a fee for a fur dealer's license shall be equivalent to that state's nonresident fee. If no equivalent fee exists in a state where a nonresident resides, the fee for an Oklahoma nonresident fur dealer's license shall be Three Hundred Dollars (\$300.00).

~~E.~~ D. All licenses issued pursuant to this section shall expire on June 30 of each year.

~~F.~~ E. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both such fine and imprisonment.

SECTION 2. AMENDATORY 29 O.S. 2011, Section 5-501, is amended to read as follows:

Section 5-501. A. No person may trap ~~on~~ upon the inhabited land of another without first procuring from the owner or occupant ~~thereof a~~ of the land written ~~permit~~ permission to do so.

B. ~~Such permit must be kept on the person of such~~ The trapper whenever he tends his shall carry the written permission when setting and tending the traps and ~~must be presented~~ shall present it for inspection upon demand of any officer authorized to enforce the wildlife conservation laws of this state.

~~C.~~ 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 Two Hundred Dollars (\$200.00).

SECTION 3. AMENDATORY 29 O.S. 2011, Section 5-502, as amended by Section 1, Chapter 165, O.S.L. 2012 (29 O.S. Supp. 2014, Section 5-502), is amended to read as follows:

Section 5-502. A. Except as otherwise provided by law, no person may use, set, construct, possess or tend any trap, snare, deadfall or other device for the purpose of catching any wildlife, except fish and frogs, in this state, except:

1. Box traps;
2. Smooth-jawed single-spring or smooth-jawed double-spring offset, leg-hold steel traps with a jaw spread of:
 - a. no more than eight (8) inches for land sets, and
 - b. no more than eight (8) inches for water sets; and
3. Enclosed trigger traps.

B. No trap so used may be set "in the open", or in paths, roads, or runways commonly used by persons, domestic animals or dogs.

C. Any trap set for the purpose of catching any wildlife shall be tended once during each twenty-four (24) hours. All traps ~~must~~ shall bear the owner's name or identification attached thereto of the owner of the traps, except for any person trapping traps set on his own property owned or leased by the owner of the traps. Any person violating this subsection shall, in addition to any criminal penalty, be civilly liable for all damages caused by such violation.

D. On any lands where smooth-jawed double-spring offset traps are used, the posting of signs shall be required ~~to the right and left of at~~ at all entrances from public roads and highways ~~and from adjacent lands and at corners of perimeter fences, provided that this.~~ The requirement to post signs shall not apply to any if the person is trapping on his own property owned or leased by the person. Size, character and wording of these signs are to be determined by the State Wildlife Conservation Commission.

~~E.~~ Employees of the State Department of Agriculture, Food, and Forestry Wildlife Services Division and the United States Department of Agriculture Wildlife Services while engaged in wildlife management activities for the protection of agriculture, property,

human health and safety and natural resources shall be exempt from the provisions of this section. ~~Employees engaging in such wildlife management activities on any lands where smooth-jawed double-spring offset traps are used shall be required to post signs which comply with federal requirements to the right and left of all entrances from public roads and highways and from adjacent lands and at corners of perimeter fences.~~

~~F. E.~~ 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 Two Hundred Dollars (\$200.00).

SECTION 4. This act shall become effective November 1, 2015.

Passed the House of Representatives the 2nd day of March, 2015.

Presiding Officer of the House
of Representatives

Passed the Senate the 15th day of April, 2015.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____