

# OKLAHOMA LAWS

## UAPPEAL

### **WILDLIFE**

BANS native bears and cats over 50 pounds (cougar and black bear) for noncommercial purposes.

BANS possessing wildlife during closed season along with import, sale and possession of endangered and rare species and certain wild bird parts.

- EXEMPT: frozen ones and certain parts, waterfowl under federal permit, captive born pets or used for training hunting dogs, farmed Cervidae, products for human consumption
- EXEMPT (endangered): scientific or educational purposes and feathers and plumes of domestic fowl

BANS shipping and transporting wildlife, nests, eggs into and out of state.

- EXEMPT: dead ones, food rough fish, commercially taken rough fish, captive born wildlife, specially authorized wildlife, farmed Cervidae

BANS barter, trade, sale and purchase of all or part of protected fish and wildlife.

- EXEMPT: carcasses and parts of furbearing animals and coyotes, fur or pelt of squirrels, licensed propagators
- NEED: invoice for furbearing animals, game animals and game fish

BANS release of exotic wildlife without permission.

PERMIT is required for all wildlife not banned above.

- EXEMPT: section 800:25-25-3 species exempt from all permits

PERMITS:

- Noncommercial Wildlife Breeders License (personal consumption or personal use)
  - ALLOWS: hobby breeding, educational/scientific use, personal consumption, release on private property, rehabilitate sick or injured wildlife
  - EXEMPT from export/import permits for quail, chuker and pheasant and eggs

- Commercial Wildlife Breeders Permit (breed native wildlife for commercial purposes)
  - EXEMPT: circuses, fish, amphibians, aquatic reptiles, aquatic invertebrates, exotic livestock, raptor propagation, Farmed Cervidae Act
  - ALLOWS: sell and transport wildlife for propagation and food and minnows for bait
  - Sales of cougars and black bears only allowed to other commercial permits
  - BANS direct public contact of cougars, black bears
  - EXEMPT from export/import permits for quail, chuker and pheasant and eggs
  - Furbearers, game birds, mammals and fish and minnows must be confined to premises except cougars and black bears by exhibitors
  
- Resident Cat/Bear Exhibitor's Permit (exhibit cougars and black bears)
  - ALSO NEED: Commercial Wildlife Breeder's License
  - EXEMPT: circuses
  - BANS direct public contact

Nonresident Cat/Bear Temporary Exhibitor's Permit (nonresidents to exhibit cougars and black bears up to 30 days)

- EXEMPT: circuses
- BANS direct public contact

(29 O.S. §4-107, 4-121 to 4-123, 5-601, 5-602, 7-502, 7-503, 7-602, 7-801; Oklahoma Admin Code 800:25-27)

### **DOMESTICATED SPECIES 800:25-25-3**

LEGAL WITHOUT PERMIT are all species listed in 800:25-25-3(a). They are exempt from import and export permits, commercial and noncommercial breeders licenses, and commercial hunting area license.

LIST:

- Alpacas, guanacos and vicunas
- Bison
- Camels
- Cats except native cats and bears
- Cattle (Bos)
- Chickens (domestic fowl, including guineas)
- Chinchillas
- Dogs except coyotes and native foxes
- Exotic tropical fish except prohibited species
- Ferrets except black-footed
- Gerbils
- Goats
- Guinea pigs

- Hamsters
- Hedgehogs
- Horse, donkeys and mules
- Llamas
- Mice except wild ones
- Native invertebrates except crayfish, freshwater mussels, Zebra mussel and Asian clam
- Peafowl
- Pigeons
- Migratory waterfowl not protected by federal law
- Pigs except javelinas
- Rabbits except cottontails, jackrabbits and swamp rabbits, and wild ones
- Rats except wild
- Salt water crustaceans and mollusks imported for human consumption
- Sheep except dall and bighorn sheep (*Ovis*)
- Turkeys except Rio Grande, Eastern, Merriam and Osceola or subspecies
- Zebras
- Jerboa
- Sugar gliders
- Civets
- Wallaby
- Kangaroo
- Fennec Fox
- Coatimundi
- Primates

These birds are exempt from import and export permits.

- PERMIT (import permit) needed for birds imported from outside US or territories.
- Considered domesticated species after import - exempt from breeder licenses
- LIST:
  - Cockatoos, cockatiels, canaries, macaws and exotic finches.
  - Psittacine birds
  - Ratite birds

Monotypic species/subspecies of exotic reptiles and amphibians except from permits.

- NOT EXEMPT:
  - those capable of populations in wild
  - venomous reptiles (*Elapidae*, *Hydrophiidae*, *Viperidae*, *Crotalidae*, *Dispholidus*, *Helodermatidae*)

(Oklahoma Admin Code 800:25-25)

## **OTHER WILDLIFE PERMITS**

PERMITS issued for these purposes:

- Commercial Hunt Area License (propagate or hold wildlife in captivity for commercial hunt areas)
  - Big Game (exotic ungulates, domesticated animals, exotic swine, whitetail and mule deer, turkey and others)
  - Upland Game (captive-raised pheasants, all quail, Indian chukars, water fowl, and other gallinaceous birds, turkey if only big game)
  - Combination Upland and Big Game (mixture of both types)
- Falconer's License (use raptors to hunt, take or chase game)
- Temporary Permit (nonresidents for 10 days)
- Raptor Propagation Permit (propagate, purchase and sell raptors)
  - ALSO NEED: Commercial Wildlife Breeders License
- Shoot-to-Kill Retriever Field Trial License (take for field trial)
  - domestically reared pheasant, coturnix quail, bobwhite quail, Indian chukars or similar
  - LIMITED TO: owners, trainers, dog clubs
- Fur Dealer's License (buy or barter fur or pelt of furbearers)
- Scientific Collector Permit (collect wildlife and eggs for scientific purposes)
  - Need letter of recommendation from 1 scientist/scientific institution
- Wildlife Rehabilitation License
  - Cougars and black bears must meet some of the captive wildlife facility requirements
  - NEED: immediately report endangered/threatened, veterinarian of record, adequate facilities, keep at facility except vet or release, immediately release or euthanize unreleaseable (except endangered/threatened), records
- Nuisance Wildlife Control Operator Permit (commercially trap, capture, possess, transport, relocate or euthanize nuisance wildlife)

(29 O.S. § Art. 4, 5-101, 5-206, 5-208, 5-410, 5-504; Oklahoma Admin Code 800:25 Subch. 7-27, 7-65, 25-11, 25-13, 25-15, 25-26, 25-27, 25-38)

## **REPTILES AND AMPHIBIANS**

### **AQUATIC TURTLES**

BANS possession, buying and selling of box turtles.

BANS harvest, collection, purchase and sale of these turtles:

- Alligator Snapping Turtle
- Chicken Turtle
- Map Turtle (Graptemys)
- Painted Turtles
- Razor-backed Musk Turtle (Chrysemys)
- State/Federal threatened or endangered species
- soft shell turtles greater than 16" carapace – must be returned to water

PERMITS issued for various activities involving other turtles.

- Commercial Turtle Harvester License (net or trap turtles for commercial purposes, buy, export)
  - LIMITED TO: private ponds and municipal lakes
  - BANS: take from scenic river area and restricted major river channel along with waters in cities, towns and municipalities and state waters
  - Traps must be tagged and be cleaned and emptied every 48 hours, must release fish
  - ALLOWS: nongame fish as bait
- Commercial Turtle Harvester Helper's License (assist in taking turtles)
- Commercial Turtle Buyer's License (buy, transport out of state or export turtles)
  - Need \$1000 surety bond along with purchase records and severance fee of 3% of dollar value of turtles purchased submitted monthly, shipping bill of lading with all shipments and annual summary
- Resident Fishing License (harvest turtles noncommercially in state waters)
  - BANS commercial sale AND shooting turtles
  - Need landowner permission for private ponds and impoundments and municipal lakes
  - Must follow sportfishing laws for harvest in public waters

(29 O.S. § 4-103A, 4-103B, 4-104A 6-204; Oklahoma Admin Code 800:15-9)

## **RATTLESNAKES**

PERMIT (Five-Day Rattlesnake Permit) required to hunt, trap or catch rattlesnakes at a hunting event or festival for up to 5 days.

Those taking with hunting license may sell to wildlife breeders license during open season.

PERMIT (Commercial wildlife breeders license) required to buy and resell live rattlesnakes.

(29 O.S. § 4-143; OAC 800:25-7-7)

## **BULLFROGS**

BANS sale and export.

LIMIT: Take 15/day

POSSESSION LIMIT: 15 residents in field (1x bag limit), 30 nonresidents outside field (2x bag limit)

HUNTING METHODS: firearms

FISHING METHODS: hook and line, gig, spear, bow and arrow or other methods

CLOSED AREAS: federal reservoirs and lands unless allowed, Wichita Mountains Wildlife Refuge

(29 O.S. § 5-403; OAC 800:10-1-6; 800:10-1-7)

## **AMERICAN ALLIGATOR**

BANS possession of American alligators.

- EXEMPT: when special permit granted

(OAC 800:25-7-7)

## OTHER NATIVE HERPTILES

BANS wild-caught reptiles and amphibians for commercial purposes.

- EXEMPT:
  - aquatic turtles under permit
  - wild-caught rattlesnakes sold to commercial or noncommercial breeders license during open season (commercial required to resell)
  - aquatic salamanders (Necturus and Ambystoma) under permit
  
- NOT EXEMPT: mole salamander and ringed salamander

PERMIT required for take and possession of native reptiles and amphibians.

- Hunting License (land herptiles)
- Fishing License (aquatic herptiles)
  - EXCLUDES: commercial aquatic turtles and salamanders
- Commercial Turtle Harvester License (aquatic turtles for commercial use above)
- Commercial Minnow Dealers License (aquatic salamanders for commercial use)
- Hunting or Fishing License (bullfrogs above)

TAKE METHODS:

- water turtles and aquatic salamanders and legal frogs as specifically listed
- Rest – hand or legal method

TAKE LIMITS:

- Reptiles:
  - Closed (no take or season)
    - Texas Horned Lizard
    - Desert Side Blotched Lizard
    - Checkered Whiptail
    - American Alligator
    - Western Chicken Turtle
    - Map Turtle
    - Wandering Garter Snake
    - Gulf Grayfish Snake
    - Alligator Snapping Turtle
    - Earless lizard
    - Roundtail horned lizard
    - Western Mud Snake

- Legal (Unlimited take and possession – Mar 1 to Jun 30)
  - Prairie Rattlesnake
  - Western Diamondback Rattlesnake
  - Timber Rattlesnake
  - Massasauga
- Unlisted - Take 6/day and possess 6 per species (year-round)
  
- Amphibians:
  - Closed (no take or season)
    - Sequoyah Slimy Salamander
    - Kiamichi Slimy Salamander
    - Western Slimy Salamander
    - Rich Mountain Salamander
    - Ozark Zigzag Salamander
    - Four-toed Salamander
    - Grotto Salamander
    - Oklahoma Salamander
    - Cave Salamander
    - Mole Salamander
    - Ringed Salamander
    - Ouachita Dusky Salamander
    - Three-toed Amphiuma
  - Legal (year-round season)
    - Frogs (Rana and Pseudacris) except crawfish frog – take/possess unlimited
    - bullfrogs - limit 15
    - Woodhouses toad - unlimited
    - Unlisted aquatic salamanders (Necturus and Ambystoma) – unlimited
    - Unlisted – take 4/day and possess 4 per species

#### REQUIREMENTS:

- Landowners and tenants may take non endangered or threatened species if posing nuisance
- Detailed breeding and hatching records
- Progeny may be held in excess of limits until 6 months – may replace parent stock

(Oklahoma Admin Code 800:25-7-7)

## **AQUATIC WILDLIFE (INCLUDING AQUATIC HERPTILES)**

BANS restricted aquatic species in commercial aquatic production facilities.



- Bighead carp
- Silver carp
- Black carp
- Alewives
- Rainbow smelt
- Rudd and hybrids
- Paddlefish
- Alligator snapping turtle
- American Alligator
- Blueback herring
- Marbled crayfish
- state/Federal endangered or threatened species or species of special concern

PERMITS issued for other species:

- Aquaculture Permit (private commercial production of aquatics for commerce)
  - finfish, mollusk, crustacean, aquatic invertebrates, amphibians, or reptiles
  - EXCLUDES: sales for retail aquarium use
- Permit to Import/Export Aquatic Wildlife (transport aquatic species)
  - ALSO NEED: Commercial Fishing License to sell or transport nongame fish outside state
- Commercial Minnow Dealer's Interstate License (ship minnow into or out of state for sale)
  - EXEMPT: less than 36 minnows exported OR those raised in commercial minnow hatchery
  - \$1000 surety bond
- Commercial Minnow Dealer's Intrastate License (commercially seine, trap, transport or sell in state)
  - EXEMPT: 1 trap for own bait, those under 16 for commercial purposes in state in quantities not requiring special vehicle, retailer
  - Allows 4 helpers to trap/seine
- Minnow Dealer's Vehicle License (transport minnows with more than 1 vehicle)
- Commercial Mussel Pickers License (harvest and sell or buy them and possess >20)
  - BANS in waters of state; municipal or private waters require permission
  - EXEMPT: personal taking up to 6/day for personal use

## **RESTRICTED EXOTIC SPECIES (AQUATIC)**

BANS import and possession of the listed restricted exotic fish and crayfish.

LIST:

- Fish:
  - Walking catfish (Claridae)
  - Grass carp and hybrids (BANS release into public waters) except certified triploid
    - Diploid allowed for control of vegetation on aquaculture facilities, export to legal states, and production for sale at human food market
  - Boney-tongue (Osteoglossum and Arapaima)
  - Piranha (Serrasalmus, Pygocentrus, Rooseveltiella, Catoprion, Hydrocynus, Salminus)
  - Electric Eel
  - Electric catfish
  - Gar-pike topminnow
  - Snakehead (Opicephalus and Channa)
  - Pavon or Peacock Bass
  - Parasitic South American Catfish/Candiru (Vandellia, Tridens, Pygidium)
  - Freshwater Stingray (Paratrygon, Potomotrygon, and Disceus)
  - Hourie (South America) (Macrodon and Hoplias)
  - Rudd and hybrids (Scardinius)
  - Bighead carp – excludes dead ones when reported
  - Silver carp – excludes dead ones when reported
  - Black carp
  - Alewife
  - Rainbow smelt
  - Blueback herring
  - Tilapia – BANS sale and use as bait and stocking in heated-water reservoir including Sooner, Konawa and Boomer Reservoirs – EXEMPTS dead ones for human food or sale or transport for aquatic vegetation control in privately owned ponds
  
- Crayfish:
  - Australian Red Claw
  - Rusty
  - Marbled

## **AQUATIC NUISANCE SPECIES**

BANS import and possession of the listed aquatic nuisance species.

- Zebra mussel
- Quagga mussel

(Oklahoma Admin Code 800:20-4-3)

## **ENDANGERED/THREATENED SPECIES**

BANS possession, hunt, chase, harassment, capture, shooting, wounding or killing, take and trapping of endangered and threatened species.

BANS import, sale and possession for endangered and rare species along with certain wild bird parts.

- EXEMPT: scientific or educational purposes and feathers and plumes of domestic fowl

LIST (Updated 7/25/19):

- Endangered:
  - Oklahoma Cave crayfish
  - Longnose Darter
- Threatened:
  - Blackside darter
- Category I Species of Concern:
  - Mountain plover
  - Long-billed curlew
  - Ferruginous hawk
  - Golden eagle
  - Prairie falcon
  - Rich Mountain Slitmouth snail

- Category II Mammals of Concern:

- Black-tailed prairie dog
- Desert shrew
- Eastern harvest mouse
- Golden mouse
- Hog-nosed skunk
- Long-tailed weasel
- Meadow jumping mouse
- Mexican free-tailed bat
- Rafinesque's big-eared bat
- Rice rat
- Ringtail
- Seminole bat
- Eastern small-footed bat
- Southeastern bat
- Swift fox
- Texas kangaroo rat
- Western big-eared bat
- Woodchuck

- Category II Birds of Concern:

- Bachman's sparrow
- Barn owl
- Bell's vireo
- Burrowing owl
- Migrant loggerhead shrike
- Snowy plover
- Swainson's hawk

- Category II Reptile of Concern:

- Alligator snapping turtle
- Desert massasauga
- Lesser earless lizard
- Gulf swampsnake
- Louisiana milk snake
- Northern map turtle
- Northern scarlet snake
- Round-tailed horned lizard
- Texas garter snake
- Texas horned lizard
- Texas long-nosed snake
- Western mud-snake

- Category II Amphibians of Concern:

- Four-toed salamander
- Grotto salamander
- Mole salamander
- Oklahoma salamander
- Ouachita dusky salamander
- Rich Mountain salamander
- Ringed salamander
- Three-toed amphiuma
- Western bird-voiced treefrog
- Western lesser siren

- Category II Fish of Concern:

- Alabama shad
- Alligator gar
- Arkansas River speckled chub
- Arkansas darter
- Black buffalo
- Blue Sucker
- Bluehead shiner
- Bluntnose shiner
- Brown bullhead
- Chain pickerel
- Colorless shiner
- Crystal darter
- Cypress minnow
- Flathead chub
- Goldstripe darter
- Harlequin darter
- Ironcolor shiner
- Kiamichi shiner
- Mooneye
- Mountain madtom
- Pallid shiner
- Plains topminnow
- Ribbon shiner
- River darter
- Shorthead redhorse
- Shovelnose sturgeon
- Southern brook lamprey
- Spotfin shiner
- Stonecat
- Taillight shiner

- Category II Invertebrates of Concern:

- Bowman cave amphipod
- Oklahoma cave amphipod
- Prairie mole cricket
- Regal fritillary
- Rich Mountain slitmouth snail
- Western fanshell

(29 O.S. §5-412, 7-504; Oklahoma Admin Code 800:25-19)

## **FELINES AND CANINES RUNNING AT LARGE**

Owners of any member of the canine or feline running at large is liable for damages and injuries.

(O.S. 4-41)

## **FELINE/CANINE HYBRID BREEDERS AND SHELTERS (AGRICULTURE)**

Commercial Pet Breeders and Animal Shelter Licensing Act requiring licensing for commercial breeders and animal shelters applies to all animals wholly or part domestic cats and dogs.

(O.S. 4-1A; OAC 35:55)

## **BEAR WRESTLING**

BANS promotion, engagement, employment, receiving admission for bear wrestling exhibition along with sale, purchase, possession or training, altering or giving substances to bears for such purpose.

(O.S. §21-1700)

## **LARCENY OF DOMESTICATED GAME AND FISH AND EXOTIC LIVESTOCK**

Domesticated game and fish are property of owner.

BANS taking domesticated fish and game (animals possessed by person) with intent to deprave owner of them and purchase and receipt of stolen ones.

- Penalty – FMV less than \$1000 is misdemeanor with up to \$500 fine and/or 60 days imprisonment at county jail; FMV \$1000+ is felony with \$1000-5000 fine and/or 5 years imprisonment at state penitentiary

BANS taking, stealing or carrying away domestic fowls or fowls or knowingly purchasing and receiving stolen ones.

- Penalty – Grand larceny – up to 5 years state penitentiary, fine up to \$200 and/or confinement at county jail 2 months

BANS taking, stealing or carrying away exotic livestock or knowingly purchasing and receiving stolen ones.

- Penalty – Grand larceny – imprisonment up to 10 years at state penitentiary and/or up to \$20,000 fine
- Exotic livestock = commercially raised exotic livestock includes bovids, cervids, pronghorns, ratites

(O.S. §21-1719 to 1719.2)

## **DAMAGING LIVESTOCK, EXOTIC LIVESTOCK, GAME FENCES**

Intentionally cutting or damaging a fence used to produce or contain livestock, exotic livestock, game animals or domestic game is a misdemeanor for a 1st offense and a felony (max of \$1000, 2 years jail, or both) for a 2nd or subsequent offense.

- EXEMPT: activities under Seismic Exploration Regulation Act, Oklahoma Corporation Commission or the Federal Energy Regulatory Commission, drilling for oil or gas

(O.S. §21-1791)

## **EXOTIC AND FERAL SWINE (AGRICULTURE)**

BANS import and possession of exotic swine of family Suidae.

- EXCLUDES: pot-bellied, teacup pigs, and common domestic pet pigs
- EXEMPT: AZA if granted exception

BANS import of live feral swine (swine that ran or is running at large).

- EXEMPT: direct to slaughter with written consent and USDA vs 1-27 permit

PERMIT (Transporter License and 24 hour permit) required to transport feral swine within state.

PERMIT (Handling Facility License) required for feral swine handling facilities.

(2 O.S. § 6-6; OAC 35:15-34, 35:15-49-6)

## **WILDEBEESTS (AGRICULTURE)**

PERMIT required to import (Entry Permit), transport (Transporter License) or export wildebeests.

BANS holding females within ½ mile of cervids, bovids, giraffes and pronghorn. New owners moving in the area hold livestock at their own risk.

BANS enclosing wildebeests with species above.

Must notify department of all wildebeests, and owners of females must provide biannual notice to adjacent landowners and annual notice in county newspaper of owning female wildebeests.

(OAC 35-15-11, 35:15-49)



## **IMPORT (AGRICULTURE)**

Certificate of veterinary inspection required to import livestock (any animal or bird imported for any purpose).

- EXEMPT: commuter herd agreement, direct to vet and returned in 2 days after treatment, tagging site or livestock market, direct to slaughter, restricted movement

PERMIT required to import animals from foreign country.

(2 O.S. §6-151; OAC 35-15-11, 35:15-49-2)

## **IMPORT AND EXPORT**

BANS export of live cottontail and swamp rabbits from state.

- EXEMPT: those allowed by law

PERMIT required for import and export of wildlife. Need authorization number.

- EXEMPT: Wildlife Breeders permit but quail, chukar, and pheasants require monthly report of the number imported/exported

(29 O.S. 5-404; Oklahoma Admin Code 800:25-23)

## **CERVID IMPORT FOR COMMERCIAL HUNTING AREAS**

BANS import of cervids for commercial hunting area that originate from county or Canadian province where CWD exists in free-ranging herds.

- EXEMPT: state vet may allow from Canadian province with department permission

PERMIT (Cervidae Import Permit) and certificate of veterinary inspection required for import of cervids from herd with CWD surveillance for 5 years. Must meet any other testing requirements.

(Oklahoma Admin Code 800:25-24)