

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   ENGROSSED SENATE  
5                   BILL NO. 777

6                   By: Jett of the Senate

7                   and

8                   West (Rick) of the House

9                   An Act relating to wildlife; amending 2 O.S. 2021,  
10                  Section 6-313, which relates to commingling with wild  
11                  aquatic species; prohibiting certain sales; allowing  
12                  certain harvest under certain conditions; authorizing  
13                  the Department of Wildlife Conservation to manage  
14                  certain conditions for certain possession; allowing  
15                  the Department to manage certain transactions;  
16                  providing for promulgation of rules; allowing the  
17                  Oklahoma Department of Agriculture, Food, and  
18                  Forestry to assess certain import fees under certain  
19                  circumstances; requiring each shipment to possess  
20                  certain certificate; amending 29 O.S. 2021, Section  
21                  2-115, which relates to definition of game fish;  
22                  expanding definition; and providing an effective  
23                  date.

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

1                   SECTION 1.       AMENDATORY       2 O.S. 2021, Section 6-313, is  
2                  amended to read as follows:

3                   Section 6-313. A. All catfish, minnows, fingerlings, fish,  
4                  frogs, and other aquatic species which are legally produced,  
5                  pursuant to the provisions of ~~this act~~ Sections 6-311 through 6-317

1   of this title, shall be confined to the lands and waters of the  
2   licensee in such a manner so as to prohibit:

3       1. Contact with wild fish or other aquatic species in public  
4   waters; and

5       2. Such wild fish or other aquatic species in from being  
6   commercially harvested from public waters from and becoming a part  
7   of the commercial production sold as a wild-born commodity. As used  
8   in this paragraph, "wild-born" means wild fish or aquatic species  
9   born in public waters and not introduced though aquaculture.

10      B. 1. Except as otherwise provided by this subsection, the  
11   Oklahoma Department of Agriculture, Food, and Forestry shall not  
12   restrict the manner in which persons, licensed pursuant to this act  
13   Sections 6-311 through 6-317 of this title, gather or impound  
14   aquatic species raised within the impoundments in their commercial  
15   operations.

16      2. No person shall sell or attempt to sell game fish and/or  
17   paddlefish obtained from public waters that have been commingled  
18   with privately produced fish subject to the provisions of this act  
19   Sections 6-311 through 6-317 of this title regarding the capture of  
20   wild fish or aquatic species for direct sale. A licensed producer  
21   may collect both game fish and nongame fish broodstock from public  
22   waters using any legal means of take for use in propagation of fish  
23   only in a recirculating aquaculture system up to, but not exceeding,  
24   the normal possession limit for a person holding a recreational

1    fishing license; provided, that the licensed producer complies with  
2    all applicable terms set forth by the Department of Wildlife  
3    Conservation. Additionally, such individual broodstock may not be  
4    sold and cannot be released back into the wild. Production of fish  
5    species considered to be species of special concern, excluding  
6    paddlefish (*polyodon spathula*), along with species prohibited under  
7    agency rules and federal threatened and endangered species, is  
8    prohibited.

9    C. No licensee may receive, free of charge, any catfish,  
10   minnow, fingerling, fish, frog or other aquatic species from the  
11   state or federal government Meat and any other finished products for  
12   human consumption that result from fish spawned in a captive system  
13   may be sold in this state or out of state; provided, that the  
14   producer or seller obtains the necessary export permits. Live fish  
15   of such propagations may also be sold subject to certain  
16   restrictions as set forth by rule by the Department.

17   D. The Department may establish a process to facilitate  
18   broodstock transactions between the state and licensed in-state  
19   aquatic propagators. The Department is authorized to assess a fee  
20   necessary to maintain such process and the oversight required for  
21   broodstock transactions. Fees imposed shall be reasonable,  
22   accessible, and transparent, with clearly defined application  
23   requirements, publicly available guidance, and established timelines

1    for application review and approval. The Department may promulgate  
2    all rules necessary for the implementation of this subsection.

3    E. The Oklahoma Department of Agriculture, Food, and Forestry  
4    may assess import fees for any entity selling live fish within this  
5    state that does not possess a valid license for commercial  
6    production of aquatic species issued by the Oklahoma Department of  
7    Agriculture, Food, and Forestry along with an Oklahoma address  
8    subject to regular inspections. Fees shall reflect the costs in-  
9    state producers are subjected to when exporting to other states.

10    Each shipment shall include a valid Animal and Plant Health  
11    Inspection Service health certificate.

12    SECTION 2.       AMENDATORY       29 O.S. 2021, Section 2-115, is  
13    amended to read as follows:

14    Section 2-115. "Game fish" is a fish normally sought after by  
15    sportsmen, and includes only largemouth bass, smallmouth bass, white  
16    bass, spotted bass, black crappie, white crappie, northern pike,  
17    trout, sauger, saugeye, striped bass, hybrid striped bass, walleye,  
18    blue catfish and channel catfish. Blue catfish and channel catfish  
19    are herein defined to mean "forked tail" catfish.

20    SECTION 3. This act shall become effective November 1, 2025.

21    COMMITTEE REPORT BY: OVERSIGHT COMMITTEE ON JUDICIARY AND PUBLIC  
22    SAFETY, dated - 04/22/2025 - DO PASS.