



TO AMEND THE CHOCTAW NATION OF OKLAHOMA FISH, GAME, AND ANIMALS CODE

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

**TO AMEND** the Choctaw Nation of Oklahoma Fish, Game, and Animals Code as enacted in CB-39-20 and amended in CB-29-22, CB-69-22 and CB-92-22.

**WHEREAS**, in accordance with Article IX, Section 4 of the Constitution of the Choctaw Nation of Oklahoma, the Tribal Council (the "Council") shall enact legislation, rules and regulations not inconsistent with the Constitution for the general good of the Choctaw Nation and for the administration and regulation of the affairs of the Choctaw Nation;

**WHEREAS**, in accordance with Article IX, Section 6 of the Constitution of the Choctaw Nation of Oklahoma, the Tribal Council (the "Council") shall make decisions pertaining to the acquisition, leasing, disposition, and management of tribal property;

**WHEREAS**, in accordance with Article VII, Section 1 of the Constitution of the Choctaw Nation of Oklahoma (the "Nation"), the Chief shall sign official papers on behalf of the Nation and shall take care that the laws be faithfully executed;

**WHEREAS**, the Nation, as a sovereign nation, possess the right to regulate its land and resources and the authority to define, claim, and exercise rights and privileges to hunt, fish, and gather on lands within the jurisdiction of the Nation, including traditional hunting and fishing lands;

**WHEREAS**, the Council enacted the Choctaw Nation of Oklahoma Fish, Game, and Animals Code in CB 39-20 and amended in CB-29-22, CB-69-22 and CB-92-22; and

**WHEREAS**, the Nation has been in consultation with other tribes and state and federal agencies and as a part of the ongoing efforts to promote wildlife conservation finds it is in the best interest to amend the definition of a legal bow for the purposes of turkey and deer harvesting, to provide for youth hunts, and for such other amendments as provided below.

**THEREFORE BE IT ENACTED**, by the Tribal Council of the Choctaw Nation of Oklahoma that the Choctaw Nation of Oklahoma Fish, Game, and Animals Code, as codified in CB-39-20 and as amended in CB-29-22, CB-69-22 and CB-92-22 be amended as follows:

**Section 16. Non-Migratory Game Birds**

**B. TURKEY**

a. Turkey - Fall Season - Bow Only

- i. One tom turkey may be harvested nationwide with a bow only and ~~arrow~~ in the Fall between October 1 and January 15, inclusively, one-half hour before official sunrise to official sunset. Season limit is one tom turkey statewide regardless of method of take.
- ii. Roost shooting is illegal.
- iii. Live decoys are illegal.
- iv. Decoys are permitted.
- v. Game callers shall be legal.
- vi. Electronically amplified imitations of bird calls shall be deemed illegal.
- vii. It is illegal to hunt turkeys within 100 yards of bait.
- viii. Any Indian found guilty of a violation of this section shall, upon conviction, be punished by a fine of not less than Fifty Dollars (\$50.00), nor more than One Hundred Dollars (\$100.00).
- ix. It shall also be a civil violation for any person to violate this section, and may subject same to fines of not less than Fifty Dollars (\$50.00), nor more than One Hundred Dollars (\$100.00) and to confiscation of vehicles, weapons, and equipment.

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- b. Turkey - Spring Season - Bow - Shotgun
  - i. ~~One tom turkey may be harvested nationwide with a bow or shotgun (conventional or muzzle loading) in the Spring between April 16 and May 16, inclusively, one-half hour before official sunrise to official sunset. Turkey, limit on per hunter, Tom Turkey only (to be defined as any bearded turkey, regardless of sex), may be harvested nationwide with a shot gun (conventional or muzzle loading) or by bow and arrow ONLY, in the Spring between April 16 and May 16, inclusively, official sunrise to official sunset.~~
  - ii. Roost shooting ~~and live decoys shall be prohibited: is illegal~~
  - iii. Live decoys are illegal.
  - iv. Decoys shall be permitted.
  - v. Game callers shall be legal.
  - vi. Electronically amplified imitations of bird calls shall be deemed illegal.
  - vii. It is illegal to hunt turkeys within 100 yards of bait.
  - viii. A legal bow is any compound bow of thirty (30) pounds or more draw weight; any recurve, longbow or self-bow of forty (40) pounds or more draw weight, having no more than 65 percent let-off; any crossbow with a minimum of 100 pounds draw weight and equipped with safety devices, bolts must not be less than 14 inches in length. A legal arrow for turkey shall be fitted with a broadhead hunting type point not less than 7/8 inches wide and not less than 1 1/2 inches long. Any device that permits a bow to be held mechanically at full or partial draw is prohibited. Hand-held releases are permitted. Unless otherwise provided by in tribal or federal law, no person shall carry or use any firearm in conjunction with any bow during the archery season while hunting turkey with a bow. Pursuing turkey with dogs is prohibited.
  - ix. Any Indian found guilty of a violation of this section shall, upon conviction, be punished by a fine of not less than Fifty Dollars (\$50.00), nor more than One Hundred Dollars (\$100.00).
  - x. It shall also be a civil violation for any person to violate this section; and may subject same to fines of not less than Fifty Dollars (\$50.00), nor more than One Hundred Dollars (\$100.00) and to confiscation of vehicles, weapons, and equipment.
- c. Youth Turkey Season
  - i. Age Requirements: All youth under 18 years of age. All participants, while hunting, are required to be accompanied by an adult, 18 years or older. The adult accompanying the youth hunter shall not possess a firearm or bow.
  - ii. Dates: The dates for the youth season are April 9-10.
  - iii. Open Areas: The season is open throughout the reservation.
  - iv. Bag Limit: One tom turkey. A turkey taken during the spring youth season shall count against the regular spring season bag limit.

~~ix.~~

**Section 17. Deer**

**B. DEER - BOW ONLY**

- a. Deer, limit six (6), no more than two (2) may be antlered per person, may be harvested nationwide with a legal bow and legal arrow, in the Fall between October 1 and January 15, inclusively, one half hour before official sunrise to one half hour after official sunset. All deer taken during the deer archery season count toward the hunter's combined season limit of six (6) deer.
- b. A legal bow is any compound bow of thirty (30) pounds or more draw weight; any recurve, longbow or self-bow of forty (40) pounds or more draw weight, having no more than 65 percent let-off; any crossbow with a minimum of 100 pounds draw weight and equipped with safety devices, bolts must not be less than 14 inches in length. A legal arrow for deer shall be fitted with a broadhead hunting type point not less than 7/8 inches wide and not less than 1 1/2 inches long. Any device that permits a bow to be held mechanically at full or partial draw is prohibited. Hand-held releases are permitted. Unless otherwise provided by in tribal or federal law, no person shall carry or use any firearm in conjunction with any bow during the archery season while hunting deer with a bow. Pursuing deer with dogs is prohibited. ~~A legal bow is any bow, except the crossbow, of forty (40) pounds or more draw weight, having no more than 65 percent let off. A legal arrow for deer shall be fitted with a broadhead hunting type point not less than 7/8~~

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~~inches wide and not less than 1 1/2 inches long. Any device that permits a bow to be held mechanically at full or partial draw is prohibited. Hand-held releases are permitted. No person shall carry or use any firearm in conjunction with any bow and arrow during the archery season while hunting deer with a bow and arrow. Pursuing deer with dogs is prohibited. e.~~

- c. Any Indian found guilty of a violation of this provision shall, upon conviction, be punished by a fine of not less than One Hundred Dollars (\$100.00), nor more than Five Hundred Dollars (\$500.00), or by imprisonment for up to thirty (30) days, or by both such imprisonment and fine.
- d. It shall also be a civil violation for any person to violate this provision, and may subject same to fines of not less than One Hundred Dollars (\$100.00), nor more than Five Hundred Dollars (\$500.00) and to confiscation of vehicles, weapons, and equipment.

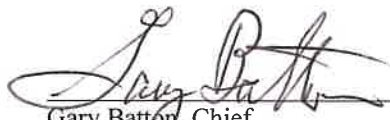
**BE IT FURTHER ENACTED**, by the Tribal Council of the Choctaw Nation of Oklahoma, that the amendments described herein and in Exhibit A shall be effective immediately.

CERTIFICATION

*I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that twelve (12) members answered roll call and that a quorum was present at the Special Session of the Tribal Council at Durant, Oklahoma on April 28, 2022. I further certify that the foregoing Council Bill CB- 110 -22 was adopted at such meeting by the affirmative vote of twelve ( 12 ) members, zero ( 0 ) negative votes, and zero ( 0 ) abstaining.*

  
Thomas Williston, Speaker  
Choctaw Nation Tribal Council

  
Ronald Perry, Secretary  
Choctaw Nation Tribal Council

  
Gary Battor, Chief  
Choctaw Nation of Oklahoma

Date 3-28-22

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**Purpose/Need of Council Bill:** The purpose of this bill is to amend the Choctaw Nation Fish, Game, and Animals Code. The Council has authority under the Constitution enact legislation, rules and regulations and to manage tribal property, and the Chief has the authority to faithfully execute the laws. The Choctaw Nation of Oklahoma Fish, Game, and Animals Code recognizes and regulates all wildlife found within the Nation. This Code regulates the Nation's land and resources, and defines, claims, and exercises the Nation and the Nation's members' rights to hunt, fish, and gather on lands that are within the jurisdiction of the Nation. This Amendment will update the bow regulations and provide that for a youth hunt in the turkey season. This is an ongoing effort and as circumstances change in the field, the Nation will assess, and changes will be reflected in this code.

**Title of Council Bill:** **TO AMEND THE CHOCTAW NATION OF OKLAHOMA FISH, GAME, AND ANIMALS CODE**

**Agency:** Legal and Compliance

**Budget:** N/A

**Match Required:** N/A

**Request by Project Director:** Brian McClain, Executive Director, Government Relations