

**A COUNCIL BILL AMENDING THE CHOCTAW NATION FISH, GAME, AND ANIMALS  
CODE**

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**IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION**  
**RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL**

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**A COUNCIL BILL**

**TO AMEND** the Choctaw Nation Fish, Game, and Animals Code related to: Definitions, Sportsman's Responsibilities, Penalties, Furbearer Regulations, Check-In Regulations, and miscellaneous clerical corrections.

**WHEREAS**, Article IX, Section 4 of the Constitution of the Choctaw Nation of Oklahoma (the "Nation") provides that 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**, the Council has previously adopted the Fish, Game, and Animals Code, which establishes the laws governing the hunting, fishing, gathering, and trapping of fish, game, and animals within the Choctaw Nation of Oklahoma Reservation;

**WHEREAS**, the Nation, as a sovereign nation, possesses the right to enact laws and regulations governing the hunting, fishing, gathering, and trapping of fish, game, and animals within the Nation's Reservation; and

**WHEREAS**, the Council finds it is in the best interest of the Nation to amend the Choctaw Nation Fish, Game, and Animals Code as shown below with the use of additions in underline and repeals marked by strike through.

**THEREFORE BE IT ENACTED**, by the Tribal Council of the Choctaw Nation of Oklahoma, that the Choctaw Nation Fish, Game and Animals Code is amended as follows:

**SECTION 1. AMENDATORY.** Section 2 of the Choctaw Nation Fish, Game, and Animals Code is amended to read as follows:

**Section 2. Definitions**

For the purpose of this Code:

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1. "Aircraft" as used herein means any flying machine, whether fixed wings, rotary wings, or a hover craft.
2. "Antlered deer" as used herein means any Mule deer or Whitetail deer, regardless of sex, having at least three (3) inches antler length above the natural hairline on either side.
3. "Authorized officer" as used herein means an agent designated by the Executive Director of Public Safety.
4. "Bag limit" as used herein means the maximum limit, in number amounts, of a particular species of wildlife which may lawfully be taken by one person in one day during an open season.
5. "Carcass" as used herein means the dead body of an animal or edible parts thereof, excluding those parts as may be used as trophies, pelts, and/or parts for traditional display and not intended for food consumption.
6. "Closed season" as used herein means the time and/or days during which wildlife may not be harvested legally.
7. "Contraband" as used herein means any property which is unlawful, by Federal Statute or Choctaw Statute, to produce or possess.
8. "Falconry" as used herein means the taking of quarry by a trained raptor.
9. "Furbearer" as used herein means muskrat, beaver, mink, nutria, badger, bobcat, skunk, fox, raccoon, opossum, coyote.
10. "Harass" as used herein means the action of shooting at, disturbing, worrying, molesting, rallying, concentrating, chasing, driving, herding, or tormenting any wildlife or property.
11. "Harvest" as used herein means the legal taking or possessing of any flora and/or fauna extant on land known as Indian land within the jurisdictional boundaries of the Choctaw Nation.
12. "Hunting" as used herein means the legal pursuit or taking of any animal.
13. "Member" as used herein means any member of the Choctaw Nation of Oklahoma.
14. "Non-member" as used herein means any person not a member of the Choctaw Nation of Oklahoma.
15. "Migratory game bird" as used herein means any game bird that has dual living areas, including the Mourning Dove.
16. "Game animals" as used herein means all big game, small game, fur bearing animals, and aquatic wildlife, and including upland game birds and migratory game birds.

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17. "Non-game animals" as used herein means all wild animals except game animals.
18. "Predatory animal" as used herein means fox, skunk, coyotes, weasel, opossum, raccoon, mink, badger, bobcat.
19. "Calling" as used herein means the use of hand, mechanical, or electronic devices to reproduce the sounds of other animals for the purpose of luring animals, including birds.
20. "Raptor" as used herein means a living migratory bird of the Order Falconiformes or the Order Strigiformes, other than a Bald eagle (*Haliaeetus Leucocephalus*) or Golden eagle (*Aquila Chrysaetos*).
21. "Road" as used herein means any government-maintained road that is being used by the public.
22. "Small game" as used herein means any of the following species of mammals: squirrels, rabbits (Cottontail, Jack, or Swamp).
23. "Trapping" as used herein is the use of traps, nets, snares, deadfalls or other devices used for the purpose of killing, capturing, netting or ensnaring any wildlife.
24. "Waterfowl" as used herein means all species of ducks and geese (not including swans) of the Order Anseriformes.
25. "Weapons" as used herein means centerfire rifles (primer located in center of base of case), rimfire rifle, 22 short, 22 long, 22 long rifle, 5 mm rimfire, bow (longbow or crossbow), muzzleloader (rifle or shotgun receiving powder and lead projectile through end of muzzle), shotgun, pistol, spear, hand powered projectile, blowgun, legal raptor, dog, and sling shot.
26. "Feral animal" as used herein means any domestic animal that has gone wild, such as a dog, a cat, or a hog.
27. "Person" as used herein means any person, Choctaw or non-Choctaw.
28. "Antlerless deer" as used herein means any Whitetail or Mule deer without antlers during official hunting season.
29. "Hardwood" as used herein means all members of the oak family, including Blackjack. Excluded from this classification are Pecan, Hickory (Smooth Bark and Scaled Bark), and Black Walnut.
30. "Den tree" as used herein means a tree or a log with a hollow cavity, capable of nesting furbearers or small game.
31. "Habitat" as used herein means any immediate area producing food or shelter for animals.

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32. "Noodling" as used herein means the use of hands to catch fish.
33. "Rodent control" as used herein means the reduction of high numbers of beaver or any other members of the rodent family.
34. "Predator control" as used herein means the reduction of carnivores for the purpose of the support of livestock production or deer population.
35. "Trespassing" as used herein means the unauthorized entry of any person on tribal land.
36. "Bearded turkey" as used herein means any turkey, male or female, having a beard.
37. "Arrow" as used herein means a projectile shot from a bow having a broadhead hunting point not less than 7/8 of an inch wide and not less than 1 1/2 inches long.
38. "Nationwide" as used herein means any land known as Indian land, or water, within the jurisdictional boundaries of the Choctaw Nation, over which the Choctaw Nation has, or may have, jurisdiction relevant to this law.
39. "Night" or "nighttime" as used herein means the time between official sunset to official sunrise, as established by the U.S. Weather Bureau for Central Standard Time.
40. "Hound" as used herein means any dog specifically bred or trained to be used in hunting furbearers or feral hogs.
41. "Deerstop" as used herein means a device used in the obstruction of a snare to keep it from completely closing.
42. "Kill stake" as used herein means a stob protruding from the ground to shorten the entanglement area of a snared furbearer.
43. "Nightlight" as used herein means any portable light.
44. "Land Management Agreement" as used herein means any agreement between the Choctaw Nation and any other land owner, or any other government, for purposes of fish and wildlife programs.
45. "Gamebird" or "Gallinaceous game bird" as used herein means a heavy bodied, short, broadwinged, fowl-like bird commonly sought after by sportsmen and includes quail and turkey.
46. "Sportsman" as used herein means any legal person in pursuit of legal fish or game.
47. "CDIB" as used herein means Certificate of Degree of Indian Blood as issued by the U.S. Department of the Interior, Bureau of Indian Affairs.
48. "License" as used herein means a valid Choctaw Nation Membership card.

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49. "Final destination" as used herein means for purposes of pheasant, turkey, bear, deer, elk, Eurasian collared dove and antelope, shall be the hunter's residence or place of consumption.
50. "Headlighting" as used herein means the use of any light or light enhancement device commonly known as a nightscope or thermal device in conjunction with a firearm, longbow or crossbow, from the period of sunset to sunrise for the taking of wildlife.
51. "Baiting" as used herein means the placing, exposing, depositing, distributing or scattering of shelled, shucked or unshucked corn, wheat or other grain or other feed.
52. "Tom Turkey" as used herein means any male turkey.

SECTION 2. AMENDATORY. Section 6 of the Choctaw Nation Fish, Game, and Animals Code is amended to read as follows:

**Section 6. Sportsman's Responsibilities**

- A. Any sportsman has the responsibility to the landowner or to the Choctaw Nation for any damage, including littering, that may occur as a result of his pursuit of fish or game. Said landowner or the Choctaw Nation may seek full restitution from said violator of this provision in tribal court or another court of competent jurisdiction.

**B. WANTON WASTE**

No person may capture, kill or destroy any wildlife protected by law and remove the head, claws, teeth, hide, antlers, horns or any or all of such parts from the carcass with the intent to abandon the carcass. No person may kill any wildlife protected by law and abandon the carcass without disposing of the carcass in the most appropriate manner. No person may dump the carcass of any dead animal in any well, spring, pond, or stream of water or leave it within 1/4 mile of any occupied dwelling or public highway without burying the carcass in an appropriate manner where it will not become exposed through erosion of the soil or where such land is subject to overflow.

**C. USE OF FIRE**

No person shall concentrate, drive, molest, hunt, take, capture, kill, or attempt to take any wildlife by aid of any fire or smoke whether man-made or natural.

**D. TAKING OF WILDLIFE**

No person, including but not limited to persons licensed for commercial hunting or wildlife breeders, may hunt, chase, capture, shoot, shoot at, wound, attempt to take or take, attempt to kill or kill, slaughter, or use any trap, net, snare, cage, pitfall, baited hook or similar device, drug, poison, narcotic, explosive or similar substance, swivel or punt gun of greater

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caliber than ten (10) gauge, or any device which generates electricity on an antelope, moose, whitetail or mule deer, bear, elk, mountain lion, Rocky Mountain bighorn sheep, wild turkey, alligator, or any subspecies except as otherwise provided by statute or council rule.

a. Unless legally harvested from a commercial hunting area, no person shall sell, offer for sale, or buy or offer to buy an antelope, whitetail or mule deer, bear, elk, mountain lion, wild turkey, or alligator, or any subspecies or any parts thereof unless provided for by law or regulation.

b. It shall be unlawful for any person to have in their possession any meat, head, hide, or any part of the carcass of any wildlife not legally taken.

c. It shall be unlawful for any person to have in their possession any wildlife taken from the wild and held in captivity. Legally purchased animals from a licensed commercial breeder, with the proper paperwork, are exempt.

d. Except as provided by law, no person may possess:

1. Any wildlife or parts thereof during the closed season for that particular wildlife species.

2. Any endangered or threatened species or parts thereof at any time.

3. Any native bear or cat that will grow to reach the weight of fifty (50) pounds or more.

e. Persons exempt from the above provisions are:

1. Persons storing legally taken wildlife in any home freezer or cold storage.

2. Persons possessing wild waterfowl taken in compliance with and under provisions of federal law pertaining thereto.

3. Persons ~~possession~~ possessing items, including but not limited to, hides, heads, antlers, or horns as specimens or trophies legally taken.

4. Persons ~~possession~~ possessing farmed Cervidae and licensed pursuant to the Oklahoma Farmed Cervidae Act.

#### E. SHOOTING FROM ROAD

Shooting from or across any public road, highway (or right-of-way) or railroad right-of-way is prohibited. Public roadways are defined as any governmental or corporate roadways where vehicular traffic is not restricted and the roadway is routinely used by the general public.

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**F. SUPPRESSORS (SILENCERS)**

Hunters are allowed to use legally acquired and possessed suppressors to hunt game animals, game or nongame birds on both private and public lands.

**G. LANDOWNER PERMISSION**

a. Hunters and fishermen must obtain permission to enter any posted or occupied land or land primarily devoted to farming, ranching or forestry purposes.

b. Nothing in this guide code shall be interpreted as permitting hunting or fishing or allowing access into any area, public or private, without permission from the owners or custodian as required by law. All persons are prohibited from entering land owned by another without permission for the sole purpose of retrieving domestic livestock or other animals.

c. Consent is not valid for more than one year, unless the owner, lessee, or occupant specifically grants consent for a specified period of time.

**H. FLUORESCENT ORANGE**

a. Hunter orange requirements apply to hunters hunting either public or private property.

b. All hunters participating in any antelope, bear, deer or elk season using a firearm (muzzleloader or gun) must wear both a head covering and an outer garment above the waistline, both totaling at least 400 square inches of hunter orange that are clearly visible while in the field. Camouflage hunter orange is legal as long as there are at least 400 square inches of hunter orange.

c. Antelope, bear, deer or elk hunters using archery equipment during any antelope, bear, deer or elk firearms (muzzleloader or gun) season in any open hunting area (zone, county, or area), this includes public lands closed to the firearm(s) season(s), must conspicuously wear either a head covering or an outer garment above the waistline consisting of hunter orange. Camouflage hunter orange is legal.

d. All other hunters, including trappers, except those hunting waterfowl, crow, crane or dove, or while hunting furbearing animals at night, must wear either a head covering or upper garment of hunter orange clothing while hunting during any antelope, bear, deer or elk firearms (muzzleloader or gun) season in any open hunting area (zone, county or area), this includes public lands closed to the firearm(s) season(s). Camouflage hunter orange is legal.

**I. HEADLIGHTING AND SPOTLIGHTING**

a. No person may attempt to take, take, attempt to catch, catch, attempt to capture, capture, attempt to kill, or kill any deer, feral animal or other wildlife, except fish and frogs or except as provided by law, by the use of a vehicle-mounted spotlight or other powerful light at night, by what is commonly known as "headlighting" (or "spotlighting") or use any light

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enhancement device (night scope) or thermal devices. Provided, however, nothing in this code shall prevent one from possessing a .22 caliber rimfire rifle or .22 caliber rimfire pistol and a light carried on his person while in pursuit of furbearers with hounds during the legal open furbearer season, while possessing a valid hunting license and fur license, unless exempt.

**J. HUNTER'S COMPETENCE AND SAFETY**

a. All persons between ten (10) years of age and thirty (30) years of age must be able to provide a certificate of competency and safety in the use of handling firearms issued by a state, country, or tribal nation. If a person hunting does not have a certificate of competency or safety as required by this section but is lawfully designated as an apprentice hunter by the Nation, a state, country or tribal nation, said person is exempt from the certificate requirement of this section. An apprentice hunter herein means anyone under the age of thirty (30) without hunter education certification. The apprentice hunter must be accompanied by an adult eighteen (18) years old or older who is licensed and hunter education certified, unless exempt.

b. A hunter under the sixteen (16) years of age hunting small game shall be exempt from the hunter safety certification requirements set forth in subsection A of this section if they are accompanied by a licensed hunter eighteen (18) years of age or older who possesses a certificate of hunter safety or is exempt from the hunter safety certification requirements. The accompanying hunter shall be in sight of the youth hunter and shall be able to communicate with the youth hunter in a normal voice without the aid of any communication device. A youth hunter who possesses a certificate of hunter safety may hunt small game without an accompanying hunter as long as the youth hunter carries the certification on their person.

c. The provisions of this section shall not apply to any person who has an honorable discharge from the United States Armed Forces, who is currently on active duty in the United States Armed Forces or a member of the National Guard. In addition, the provisions of this section shall not apply to any person who is a resident landowner or a resident tenant, while hunting game other than deer or antelope, upon land owned or leased by the person. The provisions of this subsection shall not exempt nonresidents owning land in this state nor any person leasing land, for the purpose of hunting.

d. Any person convicted of violating the provisions of this section shall be punished by the imposition of a fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) or by imprisonment in jail for a period not to exceed thirty (30) days, or by both fine and imprisonment.

**K. USE OF A MOTOR VEHICLE TO HUNT**

a. Except as otherwise provided, no person may harass, chase, attempt to capture, capture, attempt to take or take, kill or attempt to kill any wildlife with the aid of any motor-driven land, air, or water conveyance. A Non ambulatory person may hunt from said conveyances with a permit issued by the Choctaw Nation.



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b. Nothing in this section shall prevent the use of a motor-driven land or water conveyances for following dogs in the act of hunting, when use is restricted to public roads or waterways. Motor-driven land or water conveyances may be used on private property for following dogs in the act of hunting with the permission of the landowner or occupant.

**L. MOUNTED SPECIMENS**

a. Mounted specimens of wildlife shall be considered as the type of wildlife they represent for the purposes of enforcing Title 110 Sections 6, 7, 15, 16, 17, and 19 of this Code.

b. Such mounted specimens shall not be placed alongside busy highways or interstate highways for the purpose of enforcing this statute.

c. Any item, equipment, vehicle, or other property which is used or operated in violation of the sections listed in Section 6(L)(a) pursuant to the provisions of this section shall be subject to seizure and forfeiture pursuant to Choctaw Nation Title 110 Section 7(C)-(D).

SECTION 3. AMENDATORY. Section 7 of the Choctaw Nation Fish, Game, and Animals Code is amended to read as follows:

**Section 7. Proper Courts/Penalties**

A. Any person hunting, fishing, gathering, or trapping on land known as Indian land within the jurisdictional boundaries of the Choctaw Nation, in violation of tribal hunting, fishing, gathering, or trapping laws or regulations, shall be arrested by a proper law enforcement officer and then may be brought to trial before a court of competent jurisdiction, such as the Choctaw Nation Court or Federal Court, which shall assess penalties under this Code or the Federal Code.

**B. TRESPASSING**

a. Any Indian, without lawful authority or permission, who willfully and knowingly goes upon any land known as Indian land, within the jurisdictional boundaries of the Choctaw Nation, by Constitution, that belongs to any Indian, or to the Choctaw Nation, and that is either held by the United States in trust or subject to a restriction against alienation imposed by the United States, or upon any lands of the United States that are reserved for Indian use, for the purpose of hunting, trapping, or fishing thereon, or for the removal of game, peltries, or fish therefrom, shall be fined not more than \$200 or imprisoned not more than ninety days, or both, and all game, fish, and peltries in his possession shall be forfeited.

b. Any Indian who willfully destroys, defaces, or removes any sign on lands known as Indian land, within the jurisdictional boundaries of the Choctaw Nation, by Constitution, erected by the Choctaw Nation, or a Government agency, is subject to prosecution as defined by federal law.

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c. It shall also be a civil violation for any person to violate this trespassing law, and may subject same to fines of not more than Two Hundred Dollars (\$200.00) and to confiscation of vehicles, weapons, and equipment.

## C. CONFISCATION

a. In all cases where weapons, vehicles, and equipment are confiscated, as provided in this Code, and in all cases where contraband such as illegally taken game, fish, or peltries are confiscated, as provided in this Code, same shall be seized by any authorized law enforcement official, with or without a search warrant.

b. Said officer shall be required to make a written report within five (5) days, under oath or affirmation, and to file same with the clerk of a court of competent jurisdiction. The report shall detail the name of said officer, the place where said seizure was affected, cause for said seizure, and an inventory of the seized weapons, vehicles, equipment, and/or contraband.

c. Said seized weapons, vehicles, equipment, and/or contraband shall be delivered to the appropriate law enforcement agency; and said receiving location shall retain same and all thereof until same shall be claimed by the rightful owner or disposed of pursuant to the orders of the court according to federal law or this Code.

D. HABITUAL VIOLATOR ENHANCEMENT

a. Any person who is found guilty or pleads guilty or nolo contendere for a second or subsequent offense of the following Title 110 statutes will receive a minimum fine of \$500 and be subject to forfeiture of any and all items, equipment, vehicles, or other property used in said violation of Section 6 (B), (D), (E), (F), (G), (I), or (K); Section 7(B); Section 16(B); Section 17; Section 19(A)(e)(i)-(xi); and Section 23.

E. RESTITUTION

a. When a person is convicted or pleads guilty or nolo contendere to a Title 110 wildlife offense involving any whitetail or mule deer, elk, bear, mountain lion, wild turkey, alligator, or any subspecies thereof, or any bald or golden eagle, or any game fish including but not limited to black, spotted, or smallmouth bass, crappie, striped or sand bass or hybrid thereof, blue, channel or flathead catfish, paddlefish, walleye or sauger or saugeye, rainbow or brown trout, and this involves the unlawful taking, possession, or killing of the wildlife, that person shall provide restitution to the Choctaw Nation of Oklahoma. The amount of restitution shall not be less than One Hundred Dollars (\$100) nor more than Five Thousand Dollars (\$5,000.00) depending on the species and the type of wildlife and the value of that specimen to the wildlife resources of the CNO. The CNO Wildlife Department will provide the District Court with a restitution schedule on the replacement cost for each species. Any previous violations of Title 110 will be taken into consideration in setting the restitution amount.

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b. One hundred percent (100%) of the amount of restitution shall be forfeited to the Choctaw Nation of Oklahoma.

SECTION 4. AMENDATORY. Section 15 of the Choctaw Nation Fish, Game, and Animals Code is amended to read as follows:

## Section 15. Upland Game

## A. SQUIRREL

a. Fox Squirrel and Gray Squirrel may be harvested between May 15 and ~~January 31~~ the last day of February, inclusively, one-half hour before official sunrise to official sunset, by shot gun (conventional or muzzle loading), bow and arrow, hand propelled missile, air propelled missile, sling shot, handgun, rifle, or legal raptor. Not more than twenty-five (25) fox and gray squirrels combined per person may be taken daily, not more than fifty (50) per person may be in possession after the first day. No person may capture or kill squirrels at any other time.

b. Any Indian found guilty of a violation of this provision shall, upon conviction, be punished by a fine of not less than Twenty-Five Dollars (\$25.00), nor more than Fifty Dollars (\$50.00).

c. It shall also be a civil violation for any person to violate this section, and may subject same to fines of not less than Twenty-Five Dollars (\$25.00), nor more than Fifty Dollars (\$50.00) and to confiscation of vehicles, weapons, and equipment.

## B. JACK RABBIT

a. Jack Rabbit may not be harvested within the Choctaw Nation reservation.

b. 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).

c. 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. COTTONTAIL RABBIT

a. Cottontail Rabbit may be harvested between October 1 and March 15, inclusively, one-half hour before official sunrise to official sunset, by shot gun (conventional or muzzle loading), bow and arrow, hand propelled missile, air propelled missile, sling shot, handgun, rifle, rabbit stick, or legal raptor.

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b. Not more than ten (10) per person may be taken daily, not more than twenty (20) per person may be in possession after the first day.

c. 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).

d. 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.

**D. SWAMP RABBIT**

a. Swamp Rabbit may be harvested between October 1 and March 15, inclusively, one-half hour before official sunrise to official sunset, by shot gun (conventional or muzzle loading), bow and arrow, hand propelled missile, air propelled missile, sling shot, hand gun, rifle, or legal raptor.

b. Not more than three (3) per person may be taken daily, not more than six (6) per person may be in possession after the first day.

c. 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).

d. 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.

**SECTION 5. AMENDATORY.** Section 16 of the Choctaw Nation Fish, Game, and Animals Code is amended to read as follows:

**Section 16. Non-Migratory Game Birds****A. QUAIL SEASON**

I. Bobwhite Quail and Scaled Quail may be harvested between November 12 and February 15, inclusively, official sunrise to official sunset, by shot gun (conventional or muzzle loading), bow and arrow, blow gun, or legal raptor.

II. Not more than ten (10) per person may be taken daily, not more than twenty (20) per person may be in possession after the first day.

III. At no time shall any covey or quail be shot while resting on the ground, a practice commonly referred to as "pot shooting."

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IV. 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).

V. 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.

**B. TURKEY**

a. Turkey shall have a combined bag limit of one (1) ~~bearded tom~~ turkey for the fall and spring season combined.

b. Turkey – Fall Season – Bow Only

i. One ~~bearded tom~~ turkey may be harvested nationwide with a bow only in the Fall between October 1 and January 15, inclusively, 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. Electronically amplified imitations of bird calls, electronic calls, and cell phones used to make bird calls shall be deemed illegal.

vi. It is illegal to hunt turkeys within 100 yards of bait.

vii. 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).

viii. 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. Turkey – Spring Season – Bow – Shotgun

i. One ~~bearded 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.

ii. Roost shooting is illegal.

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iii. Live decoys are illegal.

iv. Decoys shall be permitted.

v. Electronically amplified imitations of bird calls, electronic calls, and cell phones used to make bird calls shall be deemed illegal.

vi. It is illegal to hunt turkeys within 100 yards of bait.

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, 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.

vii. 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).

viii. 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.

d. 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 8-9~~ shall be the weekend (Saturday and Sunday) preceding April 16.

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.

SECTION 6. AMENDATORY. Section 17 of the Choctaw Nation Fish, Game, and Animals Code is amended to read as follows:

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**Section 17. Deer****A. COMBINED SEASON NATIONWIDE BAG LIMIT**

a. Each person with a tribal membership may only legally harvest six (6) deer, no more than two (2) being antlered, nationwide, no matter the legal means of take, whether with a legal bow and legal arrow, muzzleloader, or rifle, from the period beginning October 1, and ending January 15, inclusively, one half hour before official sunrise to one half hour after official sunset.

b. 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.

c. 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.

**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, 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.

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.

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## C. DEER – MUZZLELOADER – BOW

a. Deer, limit two (2), no more than one (1) may be antlered per person, may be harvested nationwide with a muzzleloader, in the Fall ~~between October 22 and October 30 beginning the fourth Saturday in October and running 9 consecutive days~~, inclusively, one half hour before official sunrise to one half hour after official sunset. Harvest of antlerless mule deer is prohibited. All deer taken during the deer muzzleloader season count toward the hunter's combined season limit of six (6) deer.

b. Muzzleloading firearms are weapons that fire forty caliber or larger projectiles (muzzleloading muskets are legal), with a single slug or ball. Black powder or equivalent only may be used. Black powder firearms loaded from the breech, and smoothbore muzzleloading shotguns, are illegal.

c. Muzzleloading pistols (single shot or revolver) with characteristics as described for muzzleloading rifles are permissible as a secondary firearm, but may be used only for killing a downed animal.

d. Archery equipment described as legal for the deer archery season may be used during the primitive firearms season. The hunter shall have the option of hunting with a primitive gun or with legal archery equipment. ~~If hunting with a primitive gun, the harvest limit is one antlered deer, except on last day of muzzleloader season, wherein a muzzleloader hunter or bow hunter may harvest an antlerless deer on said last day.~~ Pursuing deer with dogs is prohibited.

e. 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.

f. 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.

## D. DEER – RIFLE – MUZZLELOADER – BOW

a. Deer, limit two (2), no more than one (1) may be antlered per person, may be harvested nationwide with a ~~muzzleloader rifle~~, in the Fall ~~between November 19 and December 4, beginning on the Saturday before Thanksgiving and running 16 consecutive days~~, inclusively, one half hour before official sunrise to one half hour after official sunset. Harvest of antlerless mule deer is prohibited. All deer taken during the deer rifle season count toward the hunter's combined season limit of six (6) deer.

b. 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



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Hundred Dollars (\$500.00), or by imprisonment for up to thirty (30) days, or by both such imprisonment and fine.

c. 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.

d. Legal weapons for deer hunting rifle season shall be:

i. Centerfire rifles only, and firing ammunition with a soft-nosed bullet of at least 55 grains weight, ~~except .222, .223, 220 Swift, and .22-250 caliber rifles,~~ are legal.

ii. Rifles chambered for .224 caliber bullets traveling more than 3,100 feet per second are deemed legal.

iii. Hollow point bullets are legal.

iv. Muzzleloading rifles that are legal for the muzzleloading season shall also be legal in all areas open to rifles.

v. Twenty gauge shotguns or larger, firing a single rifled slug, are legal rifles.

vi. Centerfire handguns must be chambered for a .224 caliber or larger, or 100 grain or heavier, soft-nosed bullet having an overall cartridge case length of 1 1/4 inches or longer. Minimum barrel length is four inches.

e. Any firearm not fitting these descriptions shall be confiscated. Fully automatic firearms are prohibited. Pursuing deer with dogs is prohibited.

f. Any Indian found guilty of a violation of this provision shall, upon conviction, be punished by a fine of not less than Twenty Five Dollars (\$25.00), nor more than One Hundred Dollars (\$100.00).

g. It shall also be a civil violation for any person to violate this provision, and may subject same to fines of not less than Twenty Five Dollars (\$25.00), nor more than One Hundred Dollars (\$100.00) and to confiscation of vehicles, weapons, and equipment.

### E. YOUTH HUNT DEER

a. Age Requirements. All Choctaw youth under 18 years of age with a valid Choctaw Nation Membership card are eligible to participate in a youth hunt in accordance with this subsection ~~17.F~~. All participants, while hunting, are required to be accompanied by an adult, 18 years or older. The adult shall not hunt, except that the adult may archery

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hunt in accordance with this Code while accompanying the youth hunter. The adult hunter accompanying the youth hunter shall not possess any rifle, shotgun, or pistol.

b. Dates. The dates for the youth season shall be a Friday, Saturday, and Sunday in October determined by the CNO Wildlife Department and printed in the CNO Hunting and Fishing Regulation brochure.

c. Open Areas. The season is open nationwide.

d. Bag Limit. Two (2) deer, which may include no more than one (1) antlered deer. The deer harvested by the youth during the youth hunt count towards the combined season limit of six (6) deer.

e. Legal means of taking. All rifles (conventional or muzzleloader), handguns, shotguns or bows legal during the deer gun season shall also be legal during the youth deer season.

**F. HOLIDAY DEER ANTLERLESS SEASON**

a. The dates for the holiday deer antlerless season shall be December 18 – December 31.

b. Bag Limit. The bag limit shall be two (2) antlerless deer.

c. Legal Means of Taking. All rifles (conventional or muzzleloader), handguns, shotguns, or bows legal during the deer gun season shall also be legal during the holiday deer antlerless season.

d. Deer taken during the holiday deer antlerless season shall not count towards the season limit of six (6).

**G. ELK-BOW ONLY**

a. One bull (male) elk may be harvested by legal bow and legal arrow (as defined during legal deer bow season) between October 1 and October 30, inclusively, one half hour before official sunrise to one half hour after official sunset.

b. The Choctaw Nation of Oklahoma has set the elk harvest quota at five (5) bull (male) elk. The elk bow season will be open until five (5) elk have been harvested or the season ends. Hunters must check via telephone whether the quota has been reached before going hunting each day. Once the quota has been reached, the season will close.

i. To check the status of the harvest quota, call 1-800-522-6170.

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SECTION 7. AMENDATORY. Section 19 of the Choctaw Nation Fish, Game, and Animals Code is amended to read as follows:

**Section 19. Furbearer Regulations****A. FURBEARER REGULATIONS**

a. Bobcat, raccoon, badger, grey fox, red fox (see Red Fox Restrictions), mink, muskrat, opossum, skunk, otter, and weasel may be harvested inclusively, nationwide.

b. No person shall hunt, trap, or harvest bobcat, gray/red fox, and river otter without first obtaining a Furbearer permit from the Choctaw Nation Wildlife Department.

i. Bobcat:

1. There is no daily limit for the harvest of bobcats.
2. The season limit is twenty (20) bobcats.
3. The possession limit is twenty (20) per person.

4. Bobcat pelts held for sale must have a permanent tag affixed to the pelt by a CNO Wildlife Department associate or designated tagging station. This tag will serve as the export tag.

ii. Gray Fox and Red Fox:

1. The season limit is six (6), with no more than two (2) red foxes.

iii. River otter:

1. There is no daily limit for the harvest of river otters.
2. The season limit is four (4) river otters.

3. River Otter pelts held for sale must have a permanent tag affixed to the pelt by a CNO Wildlife Department associate or designated tagging station. This tag will serve as the export tag.

iv. Badger, mink, muskrat, opossum, weasel:

1. There is no limit on the harvest of these furbearers.

c. Beaver, nutria, and coyote season shall be open year-round, nationwide.

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1. Except during deer gun seasons, a landowner, agricultural lessee, or their designated agent with written permission from the landowner or agricultural lessee may control nuisance or damage by coyotes or feral swine without a permit during the day or night, and without limitation by season regulations or bag limits, and with the use of any legal means of take, to protect marketable agricultural crops, livestock or processed feed, seed, or other materials used in the production of an agricultural commodity.

d. Mountain lion, and swift fox may not be harvested at any time, by any means, and if taken in a trap, they must be released immediately with the following exception:

i. Taking of mountain lion is allowed when the mountain lion is committing or about to commit depredation on any domesticated animal, or when acting in a manner as to constitute an immediate safety hazard. In the event a mountain lion is taken, a Choctaw Nation Environmental Protection Services employee must be notified immediately and the intact carcass including the hide must be presented to Choctaw Nation Environmental Protection Services within 24 hours for collection of biological information.

ii. Any person in violation of this section shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment not exceeding one (1) year or by a fine not exceeding Five Hundred Dollars (\$500.00), or both such fine and imprisonment.

e. Black bear may be harvested with a combined season limit of one bear of either sex. This includes bear archery and bear muzzleloader seasons. No baiting is allowed on wildlife management areas or any public land. Shooting of cubs or females with cubs is prohibited. No den shooting of bears. Pursuing bears with dogs is prohibited. Shooting collared bears is prohibited.

i. No person shall hunt or harvest black bear without receiving a permit from the Environmental Protection Service prior to ~~October 21~~ September 30. Permits are available from the Chahta Achvffa member portal.

ii. Archery equipment described as legal for the deer archery season is legal for the bear archery season.

iii. Muzzleloading equipment described as legal for the deer muzzleloader season is legal for the bear muzzleloader season.

iv. Upon harvesting a bear, all hunters must immediately call the Choctaw Nation Environmental Protection Services at 1-800-522-6170.

v. Black bear may be harvested by archery from October 1 to ~~October 16~~, through the third Sunday in October.

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vi. Black bear may only be harvested in Choctaw, Haskell, Latimer, LeFlore, McCurtain, and Pushmataha counties; and that portion of Atoka, Bryan, and Pittsburg counties east of U.S. Highway 69. There is no harvest quota for bear archery season.

~~vii. Black bear may be harvested by muzzleloader from October 22 to October 30 the fourth Saturday in October and run for nine consecutive days, inclusively.~~

viii. The Choctaw Nation of Oklahoma has set the 2022 2023 muzzleloader harvest quota at twenty (20) bears. The muzzleloader season will be open until twenty (20) bears have been harvested or the season ends. Hunters must check via telephone whether the quota has been reached before going hunting each day. Once the quota has been reached, the season will close.

ix. To check the status of the harvest quota, call 1-800-522-6170.

x. Unless the season quota is met earlier, black bear may only be harvested in Choctaw, Haskell, Latimer, LeFlore, McCurtain, and Pushmataha counties; and that portion of Atoka, Bryan, and Pittsburg counties east of U.S. Highway 69.

xi. Any person in violation of this section shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment not exceeding one (1) year or by a fine not exceeding Five Hundred Dollars (\$500.00), or both such fine and imprisonment.

f. Oral permission from an owner, lessee, manager, or occupant of land is required to harvest furbearers.

g. Nothing in this Code shall prevent or prohibit the killing of furbearers found destroying or stalking livestock or poultry.

h. Harvesting of furbearers shall be subject to the following limits:

i. not more than twenty (20) bobcat per person may be harvested in any one season;

ii. not more than six (6) grey fox and red fox may be harvested in any one season, per person; provided not more than two (2) red fox may be harvested in any one season (see Subsection B, Red Fox Restrictions);

iii. all other species of furbearers that may be taken legally shall not be limited, within their season.

i. Any Indian found guilty of a violation of this section shall, upon conviction, be punished by a fine of not less than Twenty-Five Dollars (\$25.00), nor more than Five Hundred Dollars (\$500.00), or by imprisonment for up to thirty (30) days, or by both such imprisonment and fine.

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j. It shall also be a civil violation for any person to violate this provision, and may subject same to fines of not less than Twenty-Five Dollars (\$25.00), nor more than Five Hundred Dollars (\$500.00) and to confiscation of vehicles, weapons, and equipment.

**B. RED FOX – RESTRICTIONS**

a. On lands known as Indian lands within the jurisdictional boundaries of the Choctaw Nation, the Red Fox shall not be considered a chase animal, may only be pursued or harvested from the day after Thanksgiving to January 31, inclusively, and is classified as a furbearer by special permit only.

b. Red Fox pelts cannot be sold commercially.

c. Red Fox pelts are intended to be used for display or personal use only.

d. The special permit limit is two Red Fox per permit per year.

e. Violation of this provision shall be deemed a violation of furbearer regulations.

f. Foot hold traps only shall be used during this special season.

**C. HOUND CHASE SEASON – FURBEARERS**

a. The season for chase or sport running of furbearers shall be the day after Thanksgiving to January 31, nationwide. All other months are closed season.

b. Dogs may be used in taking all game species in these rules except bear, deer, elk, antelope, and turkey. Exceptions to this rule would be the use of a leashed dog to track downed game after notification to the game warden of location and having no means of take on person while tracking.

c. Except as otherwise provided for by law, nothing shall prohibit the year- round pursuit of game, which may be lawfully hunted with the use of hunting dogs, for dog training or sport only. However, unless otherwise provided, no person in pursuit of game with hunting dogs outside of the regular harvest season shall have in their possession the means to harvest such game.

**D. TRAPPING – FURBEARERS – REGULATIONS**

a. Legal means of harvesting shall include:

i. box traps;

ii. smooth jawed, leg hold, steel traps with a jaw spread of no more

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than 8 inches;

iii. that no trap may be set in paths, roads, or runways commonly used by livestock;

iv. that traps must be tended at least once during each 24 hour period, and that all traps must bear the name of the trapper, or identification attached thereto, except for any person trapping on his own property.

**E. SNARING REGULATIONS**

**a. SNARING REGULATIONS**

i. 7 x 7 x 3/32 wire only shall be legally recognized to be used for furbearer snares;

ii. coyote or land snares must be rigged with swivel in the middle or at ground;

iii. said snares shall not be placed on land or pastures containing livestock;

iv. the bottom of the snare loop shall not be over 12 inches from the ground;

v. all land snares shall be rigged with deer stops;

vi. beaver snares do not require deer stops;

vii. beaver snares are not required to be swiveled. The loop shall be perpendicular to and at the water's edge;

viii. kill stakes shall be illegal;

ix. snares shall not be attached to, or within reach of, any usable fence.

**F. CONIBEAR REGULATIONS**

a. Conibear sizes 330 and 280 shall be permissible underwater only;

b. The only conibear sizes that shall be permissible on the ground shall be 110/120 4 inch and 150/160 6 inch. Only jaw sizes of 6 inches or less shall be permissible on the ground.

**G. PREDATOR CALLING/DAYTIME**

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a. Furbearers may be harvested beginning December 1, ~~2021~~, to ~~February 28~~ the last day of February, 2022, inclusively, during daylight hours, nationwide, by any rifle, bow and arrow, or shotgun.

b. Bobcat, raccoon, otter, badger, grey fox, red fox (see Red Fox Restrictions), mink, muskrat, coyote, opossum, skunk, and weasel may be harvested at this time.

c. Black bear, mountain lion, and swift fox may not be harvested at any time by any means except as otherwise provided by this Code.

d. Electronic callers are deemed legal.

### H. PREDATOR CALLING – NIGHT

a. Nighttime predator calling shall include the following restrictions:

i. Red or amber lens on a night light shall be legal;

ii. A shotgun shall legally only use 4 buck, BB, or number 2 shot;

iii. All centerfire rifles shall be illegal;

iv. Rim fire rifles shall be legal, including 22 magnum or 5 mm magnum;

v. A bow and arrow shall be legal;

vi. It shall be legal to hunt from a boat, provided said boat is not motor driven and/or in motion while the hunter is shooting;

vii. It shall be legal to hunt from a vehicle, provided said vehicle is not in motion or the motor running while the hunter is shooting, and said vehicle shall not be on a public road nor shall the hunter shoot across a public road.

I. Any Indian found guilty of a violation of this section relevant to legal means of harvesting furbearers by means of trapping, snaring, or predator calling shall, upon conviction, be punished by a fine of not less than Twenty-Five Dollars (\$25.00), nor more than Five Hundred Dollars (\$500.00), or by imprisonment for up to thirty (30) days, or by both such imprisonment and fine.

J. It shall also be a civil violation for any person to violate this section, and may subject same to fines of not less than Twenty-Five Dollars (\$25.00), nor more than Five Thousand Dollars (\$5,000.00) and to confiscation of vehicles, weapons, peltries, and equipment.

SECTION 8. AMENDATORY. Section 22 of the Choctaw Nation Fish, Game, and Animals Code is amended to read as follows:



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**Section 22. Fishing Regulations**

- A. The Choctaw Nation has the authority to adjust fishing regulations from year to year, as the need arises.
- B. License requirement is as elsewhere herein described, and must be carried while fishing.
- C. The Choctaw Nation recognizes two classifications of fish: game fish and non-game fish.
  - a. "Game fish" is a fish normally sought after by sportsmen, and includes only largemouth bass, smallmouth bass, white bass, spotted bass, black crappie, white crappie, northern pike, trout, sauger, saugeye, striped bass, walleye, blue catfish and channel catfish. Blue catfish and channel catfish are herein defined to mean "forked tail" catfish.
  - b. "Non-game fish" are all other fish not game fish.

- i. DAILY CREEL AND SIZE LIMITS PER PERSON:

- 1. Largemouth and Smallmouth Bass Daily limit, six (6), aggregately, with only one greater than (16) inches.
    - 2. Crappie. Daily limit, thirty-seven (37), aggregately, no length limit.
    - 3. Spotted Black Bass. No daily limit. No size limit.
    - 4. Channel Catfish and Blue Catfish. Daily limit, fifteen (15), aggregately. Size limit, only one (1) Blue Catfish over thirty (30) inches.
    - 5. Flathead Catfish. Daily limit, five (5).
    - 6. Sauger, Saugeye, and Walleye. Daily limit, six (6), aggregately. Size limit, fourteen (14) inches minimum.
    - 7. Paddlefish. Annual limit, two (2).
    - 8. Rainbow and Brown Trout Daily limit, four (4), aggregately with no more than one (1) over 20".

- ii. Harvest of paddlefish must be reported to the Choctaw Nation Environmental Protection Services at 1-800-522-6170 within 24 hours of harvest.

- iii. Persons may have one paddlefish in their possession in the field.

- iv. Catch and release of paddlefish by use of rod and reel, trotlines and throwlines is allowed, year-round. Paddlefish must be released immediately after

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being caught, unless kept for the daily limit. Anglers fishing trotlines or throwlines must release all paddlefish before leaving their lines (unless keeping one for a daily limit).

v. Paddlefish taken by bowfishing, gigs, spears and spearguns cannot be released.

vi. Each cleaned paddlefish and its parts (carcass, meat or eggs) must be kept separate from all other cleaned paddlefish or paddlefish parts. Each person must keep their paddlefish distinctly separate from paddlefish taken by others.

vii. No person can possess eggs (attached to the egg membrane) of more than one paddlefish. No person can possess more than 3 pounds of processed paddlefish eggs or fresh paddlefish eggs removed from the membrane. Processed eggs are any eggs taken from a paddlefish that have gone through a process that turns the eggs into caviar or into a caviar-like product.

viii. No person can ship into or out of, transport into or out of, transport into or out of have in possession with the intent to so transport, or cause to be removed from the Choctaw Nation, raw unprocessed, processed or frozen paddlefish eggs.

ix. All paddlefish must have all internal organs removed before leaving the Choctaw Nation.

1. All other species have no daily limit and no size limit.

b. Paddlefish and Flathead Catfish.

i. Paddlefish in Choctaw waters are not harvestable except for those in excess of 45 inches from eye notch to tail fork. All others must be returned to the water immediately. A barbless hook is required for Paddlefish snagging.

ii. Flathead Catfish (Yellow Catfish and Appaloosa Catfish) in Choctaw waters are not harvestable except those 20 inches or in excess of 20 inches total length. Those less than 20 inches must be returned to the water immediately.

b. Alligator Gar

ii. The daily bag limit for alligator gar is one (1) per day, except during the period of May 1 through May 31 when angling for alligator gar by all angling methods and possession are prohibited. The catch and release of alligator gar is permitted year-round, except during the closure referenced above, by use of rod and reel only. Anglers must cease snagging for the day when they have taken their daily limit of alligator gar into possession. Harvest of alligator gar must be reported to the Choctaw Nation

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Environmental Protection Services at 1-800-522- 6170 within 24 hours of harvest.

iii. Alligator gar may be caught by use of rod and reel, trotline, and throwline. Alligator gar taken by bow and arrow, gigs, spears, or spearguns cannot be released. The attempt to take or harvest alligator gar is prohibited statewide May 1-31.

**D. METHODS OF HARVEST, IN ACCORDANCE WITH FEDERAL REGULATIONS**

a. All waters on land known as Indian country within the jurisdictional boundaries of the Choctaw Nation are open to taking fish by hook and line attached to rod and reel or pole.

i. No person shall use more than seven (7) poles and/or rods while fishing.

ii. Fishing is restricted to no more than two (2) rods or poles per person, within 1,000 feet down stream of any federal or GRDA dam.

iii. It is unlawful to keep a foul-hooked fish (any fish hooked other than inside the mouth) caught within 1,000 feet downstream of any federal or GRDA dam.

b. Bowfishing may be used to take nongame fish only, throughout the year in all waters unless restricted by applicable law. Fish taken by this method count towards the daily bag limit, and any carcasses or remains shall be properly disposed of. Legal bowfishing is restricted to:

i. any bow (including a crossbow);  
devices that permit a bow to be held mechanically at full or partial draw are permitted.

c. Flathead Catfish

d. in all reservoir tail waters (the first 1,000 feet downstream from any federal or GRDA dam).

**E. NOODLING AND SCUBA DIVING**

a. Noodling and SCUBA diving are the harvesting of fish by the use of hands, speargun, spear, or hook.

b. Only catfish and nongame fish are permitted to be harvested by noodling.

c. It is unlawful to place into any lake or reservoir any container that will attract,

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entice or lure fish into an open cavity within that container. Containers include, but are not limited to, drums, cans, tubs, boxes and barrels. It is also illegal to noodle within such containers.

d. Hooks, gaffs, spears, poles with hooks attached, ropes with hooks attached are not legal to possess when noodling.

e. Noodling is lawful year-round in all waters only during daylight hours unless restricted under applicable law. The daily limit for flathead catfish is five (5), no size restrictions. The daily limit for blue and/or channel catfish is fifteen (15) (combined), only one of which may be 30 inches or longer.

f. Noodling and SCUBA diving shall be lawful except in all reservoir tail waters (the first 1,000 feet downstream of any federal or GRDA dam).

g. SCUBA divers may use spearguns, spears, or gigs to take nongame fish, blue and channel catfish only. Fish taken by this method count towards the daily bag limit, and any carcasses or remains shall be properly disposed of.

i. Gigs, spears, and spearguns may not contain more than three (3) points with no more than two (2) barbs on each point.

ii. This method of take shall be lawful in all rivers and streams from December 1 through March 31, and year-round in all reservoirs, unless restricted under applicable law.

**F. NON-COMMERCIAL NETTING**

a. Seining, cast netting, trawling and dip netting bait for personal use is lawful in all waters year-round. The use or possession of cast nets is prohibited on all other Oklahoma Scenic Rivers.

b. Any person may seine, trap or transport nongame fish commonly used for personal bait, provided the seine does not exceed 20 feet in length and 1/2 inch mesh; unless seining for minnows, then the mesh shall not exceed 1/4 inch.

c. Minnow traps shall have a mesh size no greater than 1/2 inch, shall not be longer than three feet, shall not exceed 18 inches in diameter on round traps or 18 inches on a side on square or rectangular traps. The trap entrance (throat) cannot exceed two inches across the opening. No person shall fish with more than three minnow traps.

d. All minnow traps must have the owner's name and address attached and the traps must be attended once every 24 hours. All game fish and nongame fish not commonly used for bait must be released immediately.

e. It is unlawful to take or possess more than 25 nongame bait fish in rivers or streams, except for shad, of which 200 may be taken or possessed.

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f. No person may possess with intent to transport or transport via land-based transportation more than 200 nongame fish, including shad, for personal use as bait.

i. No person shall transport shad from the Kiamichi River below Hugo Lake to the Red River. If shad are collected from this listed water for use as bait, they may only be used in the water body from which they were collected.

ii. The sale, offer for sale, transport from the Choctaw Nation with intent to sell or offer to sell shad taken from Choctaw Nation waters is prohibited. Minnow traps cannot be made with glass. Cast nets shall have a mesh size no greater than 3/8 inch square. Trawl nets pulled by motor-driven boats may not exceed three feet in diameter and 3/8 inch square mesh. Cast nets, trawls and handheld dip nets are lawful for taking nongame fish only as bait for personal use.

### G. SNAGGING

a. Snagging, the dragging of one single hook or one treble hook attached to a fishing line through the water to impale fish, shall be lawful in all waters year-round for nongame fish only unless restricted under applicable law. Only one rod or pole per angler is allowed while snagging. Snagging prohibited from 10 p.m. to 6 a.m. in the Choctaw Nation.

When snagging:

i. the dragging of a hook attached to a fishing line shall be lawful in all waters of the nation throughout the year except in all reservoir tail waters (the first 1,000 feet downstream of any federal or GRDA dam);

ii. Paddlefish less than 45 inches in length from eye notch to tail fork are illegal;

iii. Barbless hooks are required for Paddlefish snagging;

iv. Landing hooks shall be deemed illegal in the landing of all Paddlefish.

v. When snagging for paddlefish, anglers are allowed only one single hook or one treble hook. All hooks must have barbs removed or completely closed. When landing a paddlefish, it is illegal to use gaff hooks or any technique or device that injures the fish, unless the angler is bowfishing.

II. The use of gigs, grabhooks, spears and spearguns are permissible for the legal harvest of non-game fish by tribal members except for:

1. Paddlefish, regardless of length, and Flathead Catfish less than 20 inches in total length;

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b. all reservoir tail waters (the first 1,000 feet downstream of any federal or GRDA dam).

**H. TROT LINES, THROW LINES, JUG LINES, YO-YOS, AND LIMBLINES**

**a. TROT LINES, THROW LINES, JUG LINES, YO-YOS, AND LIMBLINES:**

i On trotlines, there shall be no more than three (3) lines and one hundred (100) hooks per person. Persons fishing trotlines or throwlines must release all fish on their lines except those held in possession for their daily limit, before leaving the trotline or throwline.

ii A legal trotline/throwline has:

1. no glass or metallic floating device on the line;
2. no metallic posts in water for attachment;
3. lines made of nonmetallic material only;
4. hooks at least 24 inches apart;
5. owner's name and address attached;
6. been attended at least once every 24 hours;
7. not been set within three feet of surface of water at any point beyond six feet from either point of attachment.

iii On limblines, there shall be no more than two (2) hooks per line and twenty (20) limblines per person. A legal limblime is a line attached to a limb, branch, other natural object, or non-metallic manmade material and has:

1. owner's name and address attached;
2. Been attended at least once every 24 hours.

iv On juglines, there shall be no more than 5 hooks per line, glass or metallic floating devices as points of attachment are prohibited. Vertical line shall be anchored or drifting free.

v Yo-yos are legal fishing devices limited to twenty (20) yo-yos per person and shall:

1. have the owner's name and address attached;
2. not be left unattended for more than six (6) hours;
3. not be strung or suspended from any horizontal line across any channel or navigable waterway;

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4. have no more than ten (10) yo-yos attached from any one line or support;
5. not have metallic material in lines used for attachment;
6. have lines no greater than fifty (50) feet in length and must be placed or suspended without restricting or impeding boat traffic. Lines must be visible to boats at all times, day or night.

vi Restrictions on all of the above are:

1. all reservoir tail waters (the first 1,000 feet downstream of any federal or GRDA dam);
2. all lines must be attended at least once every 24 hours;
3. all above lines cannot be left in water at the owner's discretion.

a. GIGS, SPEARS, GRABHOOKS, AND SPEARGUNS

i. Gigs and spears are legal for taking nongame fish and white bass only. Grabhooks (handheld hook, handheld pole of natural or man-made material, or rope with a single hook attached used in the initial taking of a fish) are prohibited in all waters. Spearguns used by scuba divers are legal for taking nongame fish, blue and channel catfish. Fish taken by this method count towards the daily bag limit, and any carcasses or remains shall be properly disposed of.

ii Gigs, spears and spearguns shall:

1. not contain more than three points with no more than two barbs on each point;
2. be lawful in all rivers and streams from Dec. 1 through March 31, and year-round in all reservoirs, unless restricted under applicable law.

J. PENALTIES

a. Any Indian found guilty of a violation of this section shall, upon conviction, be punished by a fine of no less than Twenty-Five Dollars (\$25.00), nor more than One Hundred Fifty Dollars (\$150.00), assessed as to the severity of the infraction.

b. It shall also be a civil violation for any person to violate this section, and may subject same to fines of no less than Twenty-Five Dollars (\$25.00), nor more than One Hundred Fifty Dollars (\$150.00), assessed as to the severity of the infraction, and to confiscation of vehicles, fish, and equipment.

SECTION 9. AMENDATORY. Section 26 of the Choctaw Nation Fish, Game, and Animals Code is amended to read as follows:

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**Section 26. Migratory Game Birds**

**A. MIGRATORY GAME BIRDS**

a. Migratory Game Birds are controlled by federal law and, as federal bag limits and seasons vary occasionally, the Choctaw Nation recognizes federal law as pertains to waterfowl, dove, rail, gallinule, woodcock, and common snipe.

b. Except for crow, hours for harvesting migratory game birds shall be one-half hour before official sunrise to official sunset by:

i. Shot gun (conventional or muzzleloading), conventional total capacity shall not exceed three (3) shells;

ii. Bow and arrow;

iii. Legal raptor.

c. Live decoys are deemed illegal. Decoys are deemed legal.

d. Electronically amplified imitations of bird calls shall be deemed illegal.

e. Aid of baiting shall be illegal.

f. Possession of live birds shall be illegal.

g. A wounded bird reduced to possession shall be immediately killed and included in the daily bag limit.

**B. CROW**

a. Crow may be harvested between October 1 and January 31, inclusively, nationwide, one-half hour before official sunrise to official sunset.

b. There shall be no limit to the number of crows that may be harvested per day during the season.

c. Decoys may be used legally.

d. Electronic callers are permissible.

**C. FEDERAL RESTRICTIONS**

a. Crow season may not exceed 124 days per calendar year (calendar year being July 1 through June 30);



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b. Crow cannot be hunted from aircraft;

c. Hunting shall not be permitted during the peak nesting season within the Nation, said season being April, May, and June;

d. Crow may only be taken by bow and arrow, firearms, and legal raptors.

### D. PENALTIES

Violation of Migratory Game Bird Regulations are addressed by federal code, and punishment shall be assessed as provided by federal law.

**SECTION 10. NEW LAW** A new section of law to be codified in the Choctaw Nation Statutes as Section 34 of Title 110, unless there is created a duplication in numbering, reads as follows:

### **Section 34. Choctaw Nation Deer Herd Enhancement Program**

A. Choctaw Nation member landowners may apply for participation in the Choctaw Nation Deer Herd Enhancement Program (DHEP). This section will outline the procedures for participating and expectations of landowners and the CNO Wildlife Department.

B. The minimum acreage required for enrollment into the program is 640 acres. Landowners may form a cooperative to meet minimum acreage requirements. Primary enrollee on the property must be Choctaw Nation tribal member.

C. CNO Landowners wishing to enroll in the program must submit an application from the CNO Wildlife Department no later than May 1 annually. Applications must be filled out completely. CNO Wildlife Department associates will review the application and determine if guidelines are met. Approved applicants will receive a site visit from a CNO Wildlife Department associate. Once management objectives are determined a plan will be made. CNO Wildlife Department associates will determine the number of tags needed to meet management objectives with input from landowners. If management objectives can be met within current seasons and bag limits, the application will be denied. Should surplus tags be needed the application will be approved and the CNO Wildlife Department will issue the appropriate number of tags.

D. Seasons on DHEP properties will be concurrent with established deer seasons within the Choctaw Nation and only equipment established as legal for such seasons shall be used. The only exception is that guns may be used during the entire month of December.

E. An annual enrollment fee is required for approved applications. Permits may only be used the specific area for which they were issued. Permits are non-transferable. Fees are as follows.

1. Tier 1: 640 – 5,000 acres: \$150 enrollment fee
2. Tier 2: 5,000+ acres: \$350

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F. DHEP tags will be issued by the CNO Wildlife Department. DHEP tags must be affixed to antlerless deer harvested on land enrolled in the program. Deer harvested must be logged or checked by the method determined by the CNO Wildlife Department. Unused tags will not be refunded. Antlerless deer harvested using DHEP tags do not count towards the season bag limit.

G. Cooperating DHEP properties will be responsible for the following requirements:

1. Cooperator must complete standardized spotlight surveys consisting of 5 nights according to the methods outlined by the CNO Wildlife Department.
2. All deer taken must be recorded in supplied harvest books according to instructions provided by CNO Wildlife Department.
3. All deer taken must have a lower mandible (jaw) bone removed for aging purposes. They must be stored and labeled as instructed by CNO Wildlife Department.
4. Harvest information, mandibles, and supplied tools must be delivered by January 31 annually.

H. DHEP cooperators must make a good faith effort to comply with recommendations set forth by the CNO Wildlife Department. Properties will be evaluated annually. Failure to comply with harvest regulations may result in termination from the program. Any violations of CNO Fish, Game, and Animals Code may result in immediate termination from the program and potential banning of future participation. Cooperators violating Title 110 are also subject to citations.

I. CNO Wildlife Department will provide recommendations, and compile harvest results. Harvest results will be made available to cooperators. CNO staff will provide tools and materials including jaw pullers, scales, harvest record books, and tags. CNO staff will evaluate participation and determine eligibility of cooperators going forward as it pertains to compliance with recommendations.

**SECTION 11. NEW LAW.** A new section of law to be codified in the Choctaw Nation Statutes as Section 35 of Title 110 unless there is created a duplication in numbering, reads as follows:

**Section 35. Commercial Hunt Facilities and Wildlife Breeding Operations**

A. The Choctaw Nation reserves the right to implement testing, monitoring, and regulation of wildlife within a commercial hunt facility within the Reservation. This may include importation restrictions, prohibition of certain animals, and disease management.

B. The Choctaw Nation reserves to right to regulate wildlife breeding and farming operations within the Reservation. This includes importation and species restrictions, reporting, record keeping, and disease testing/monitoring.

**SECTION 12. NEW LAW** A new section of law to be codified in the Choctaw Nation Statutes as Section 36 of Title 110, unless there is created a duplication in numbering, reads as follows:

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**Section 36. Attempted Violations**

Every person who attempts to violate any provision or section of this Code shall upon conviction be punished in the same manner as if he had completed the act that constitutes that violation.

SECTION 13. NEW LAW A new section of law to be codified in the Choctaw Nation Statutes as Section 37 of Title 110, unless there is created a duplication in numbering, reads as follows:

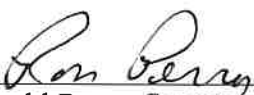
**Section 37. Aiding and/or Abetting**

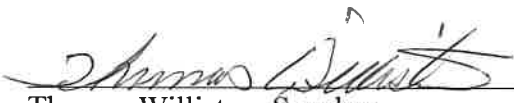
Every person who counsels, aids or abets another in the violation of any provision or section of this Code shall upon conviction be punished in the same manner as the principal offender.

SECTION 12. EFFECTIVE DATE. This Council Bill shall become 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 Regular Session of the Tribal Council in Tuskahoma, Oklahoma on September 9, 2023. I further certify that the foregoing Council Bill CB-106 -23 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes, and zero (0) abstaining.*

  
\_\_\_\_\_  
Ronald Perry, Secretary  
Choctaw Nation Tribal Council

  
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Thomas Williston, Speaker  
Choctaw Nation Tribal Council

  
\_\_\_\_\_  
Gary Batton, Chief  
Choctaw Nation of Oklahoma

Date 9-12-23

**A COUNCIL BILL AMENDING THE CHOCTAW NATION FISH, GAME, AND ANIMALS  
CODE**

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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 related to: Definitions, Sportsman's Responsibilities, Penalties, Furbearer Regulations, Check-In Regulations, and miscellaneous clerical corrections.

**Title of Council Bill:** A COUNCIL BILL AMENDING THE FISH, GAME, AND ANIMALS CODE

**Agency:** Legal & Compliance

**Budget:** N/A

**Match Required:** N/A

**Request by Project Director:** Brian Danker, SEO, Legal & Compliance