

## HOUSE BILL NO. 271

INTRODUCED BY K. KERNS, HINKLE, HARRIS, VANCE, MILLER, HOWARD, RANDALL, INGRAHAM,  
WAGNER, WITTICH, YATES, KENNEDY, HALE, SKEES, FLYNN, HENDRICK, BLYTON, BLASDEL,  
TAYLOR, C. SMITH, REGIER, WARBURTON, G. BENNETT, HANSEN, LONEY, READ, MCGILLVRAY,  
KNOX, O'NEIL, GREEF, BRODEHL, MCNIVEN, SALOMON, K. PETERSON, SKATTUM, C. VINCENT

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW RELATED TO THE OFFENSE OF CARRYING  
A CONCEALED WEAPON; PROVIDING THAT THE LAW DOES NOT APPLY TO A PERSON WHO IS ELIGIBLE  
~~UNDER CERTAIN CIRCUMSTANCES TO APPLY FOR OBTAIN~~ A PERMIT TO CARRY A CONCEALED  
~~WEAPON TO POSSESS A HANDGUN UNDER STATE OR FEDERAL LAW;~~ AND AMENDING SECTION  
45-8-317, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 45-8-317, MCA, is amended to read:

**"45-8-317. Exceptions.** (1) Section 45-8-316 does not apply to:

- (a) any peace officer of the state of Montana or of another state who has the power to make arrests;
- (b) any officer of the United States government authorized to carry a concealed weapon;
- (c) a person in actual service as a member of the national guard;
- (d) a person summoned to the aid of any of the persons named in subsections (1)(a) through (1)(c);
- (e) a civil officer or the officer's deputy engaged in the discharge of official business;
- (f) a probation and parole officer authorized to carry a firearm under 46-23-1002;
- (g) a person ~~ELIGIBLE TO POSSESS A HANDGUN UNDER STATE OR FEDERAL LAW, A PERSON eligible to apply~~  
~~for OBTAIN or~~ issued a permit under 45-8-321, ~~OR of~~ a person with a permit recognized under 45-8-329, ~~OR A~~  
~~PERSON ELIGIBLE TO OBTAIN A PERMIT UNDER 45-8-321 WHO HAS COMPLETED A COURSE AS REQUIRED UNDER~~  
~~45-8-321(3)(B) OR (3)(C) AND HAS IN THE PERSON'S POSSESSION EVIDENCE OF COMPLETION OF THE COURSE;~~
- (h) an agent of the department of justice or a criminal investigator in a county attorney's office;
- (i) a person who is outside the official boundaries of a city or town or the confines of a logging, lumbering,  
mining, or railroad camp or who is lawfully engaged in hunting, fishing, trapping, camping, hiking, backpacking,  
farming, ranching, or other outdoor activity in which weapons are often carried for recreation or protection; or

1 (j) the carrying of arms on one's own premises or at one's home or place of business.  
2 (2) With regard to a person issued a permit under 45-8-321, the provisions of 45-8-328 do not apply to  
3 this section."

4 - END -