

SENATE BILL NO. 167

INTRODUCED BY B. GILLESPIE

1
2
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN EXTENSION OF THE ENTITLEMENT PERIOD
5 FOR CERTAIN MILITARY MEMBERS TO RECEIVE CERTAIN HUNTING AND FISHING LICENSES FOR FREE;
6 AMENDING SECTION 87-2-817, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9
10 **Section 1.** Section 87-2-817, MCA, is amended to read:

11 **"87-2-817. Licenses for service members.** (1) A veteran or a disabled member of the armed forces
12 who meets the qualifications in 87-2-803(9) as a result of a combat-connected injury may apply at a fish, wildlife,
13 and parks office for a regular Class A-3 deer A tag, a Class A-4 deer B tag, a Class B-7 deer A tag, a Class B-8
14 deer B tag, and a special antelope license made available under 87-2-506(3) for one-half of the license fee.
15 Licenses issued to veterans or disabled members of the armed forces under this part do not count against the
16 number of special antelope licenses reserved for people with permanent disabilities, as provided in 87-2-706.

17 (2) (a) A Montana resident who is a member of the Montana national guard or the federal reserve as
18 provided in 10 U.S.C. 10101 or who was otherwise engaged in active duty and who participated in a contingency
19 operation as provided in 10 U.S.C. 101(a)(13) that required the member to serve at least 2 months outside of the
20 state, upon request and upon presentation of the documentation described in subsection ~~(2)(b)~~ (2)(c), must be
21 issued a free resident wildlife conservation license and a Class A resident fishing license or a Class AAA resident
22 combination sports license, which may not include a Class A-6 black bear tag, upon payment of the resident base
23 hunting license fee in 87-2-116 [and the purchase of the resident aquatic invasive species prevention pass
24 pursuant to 87-2-130], in the license year that the member returns from military service or in the year following
25 the member's return, based on the member's election, and in any of the 4 years after the member's election.

26 (b) If a Montana resident who meets the service qualifications of subsection (2)(a) is subsequently
27 required to serve another 2 months or more outside of the state under the same service qualifications, the
28 entitlement to free licenses provided pursuant to subsection (2)(a) resets and the member may start a new 5-year
29 entitlement period beginning in the license year that the member returns from the subsequent military service or
30 in the year following the member's return, based on the member's election. There is no limit on the number of

1 times the entitlement period may be reset if the Montana resident repeatedly meets the service qualifications of
2 subsection (2)(a).

3 ~~(b)(c)~~ To be eligible for the free ~~resident wildlife conservation license or free Class AAA resident~~
4 ~~combination sports license~~ licenses provided for in subsection (2)(a) or (2)(b), an applicant shall, in addition to
5 the written application and proof of residency required in 87-2-202(1), provide to any regional department office
6 or to the department headquarters in Helena, by mail or in person, the member's DD form 214 verifying the
7 member's release or discharge from active duty. The applicant is responsible for providing documentation
8 showing that the applicant participated in a contingency operation as provided in 10 U.S.C. 101(a)(13).

9 ~~(c) A Montana resident who meets the service qualifications of subsection (2)(a) and provides the~~
10 ~~documentation required in subsection (2)(b) is entitled to a free Class A resident fishing license in the license year~~
11 ~~that the member returns from military service or in the year following the member's return, based on the member's~~
12 ~~election, and in any of the 4 years after the member's election.~~

13 (d) The department's general license account must be reimbursed by a quarterly transfer of funds from
14 the general fund to the general license account for costs associated with the free licenses granted pursuant to
15 this subsection (2) during the preceding calendar quarter. Reimbursement costs must be designated as license
16 revenue.

17 (3) A member of the armed forces who forfeited a license or permit issued through a drawing as a result
18 of deployment outside of the continental United States in support of a contingency operation as provided in 10
19 U.S.C. 101(a)(13) is guaranteed the same license or permit, without additional fee, upon application in the year
20 of the member's return from deployment or in the first year that the license or permit is made available after the
21 member's return. (Bracketed language terminates February 29, 2020--sec. 21(1), Ch. 387, L. 2017.)"

22

23 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

24

- END -