



AN ACT CLARIFYING THAT NOISES RESULTING FROM SHOOTING ACTIVITIES AT SHOOTING RANGES MAY NOT BE CONSIDERED TO BE PUBLIC NUISANCES; AND AMENDING SECTION 27-30-101, MCA.

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

**Section 1.** Section 27-30-101, MCA, is amended to read:

**"27-30-101. Definition of nuisance.** (1) Anything ~~which~~ that is injurious to health, indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or ~~which~~ that unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin or any public park, square, street, or highway is a nuisance.

(2) Nothing ~~which~~ that is done or maintained under the express authority of a statute ~~can~~ may be deemed a public or private nuisance.

(3) ~~No~~ An agricultural or farming operation, a place, an establishment, or a facility or any of its appurtenances or the operation ~~thereof is or becomes~~ of those things is not or does not become a public or private nuisance because of ~~the~~ its normal operation ~~thereof~~ as a result of changed residential or commercial conditions in or around its locality if the agricultural or farming operation, place, establishment, or facility has been in operation longer than the complaining resident has been in possession or commercial establishment has been in operation.

(4) Noises resulting from the shooting activities at a shooting range during established hours of operation are not considered a public nuisance."

- END -

I hereby certify that the within bill,  
SB 0173, originated in the Senate.

---

Secretary of the Senate

---

President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2011.

---

Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2011.

SENATE BILL NO. 173  
INTRODUCED BY B. TUTVEDT

AN ACT CLARIFYING THAT NOISES RESULTING FROM SHOOTING ACTIVITIES AT SHOOTING RANGES  
MAY NOT BE CONSIDERED TO BE PUBLIC NUISANCES; AND AMENDING SECTION 27-30-101, MCA.