

SENATE BILL NO. 185

INTRODUCED BY D. KARY, A. DOANE, B. HAMLETT, J. HINKLE, V. RICCI

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE TRANSFER OF POSSESSION OF HARVESTED GAME BY HUNTERS FOR INSPECTION PURPOSES; PROVIDING PENALTIES; AMENDING SECTIONS 87-3-131 AND 87-6-218, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. Section 1. Transfer of possession of harvested game to licensed outfitter. (1) ~~EXCEPT FOR A MOUNTAIN SHEEP TAKEN WITH A LICENSE ISSUED PURSUANT TO 87-2-722, A~~ A hunter who uses the services of a licensed outfitter and who kills and, in accordance with 87-6-411, takes possession of a game animal or wolf requiring a mandatory inspection by the department may transfer possession of the animal to the licensed outfitter. The outfitter or the outfitter's ~~employee or representative~~ GUIDE shall then present the harvested animal to the department as required.

(2) A person who violates the provisions of this section is subject to the penalties provided in [section 2].

(3) FOR THE PURPOSES OF THIS SECTION, THE TERM "GAME ANIMAL" DOES NOT INCLUDE GRIZZLY BEAR.

NEW SECTION. Section 2. Unlawful transfer of possession of harvested game. A person who purposely, knowingly, or negligently violates [section 1] regarding the transfer of possession of harvested game to a licensed outfitter for inspection purposes shall be fined not less than \$50 or more than \$500. In addition, the person, upon conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in 77-1-101, for recreational purposes for a period of time set by the court.

~~Section 3. Section 87-3-131, MCA, is amended to read:~~

~~"87-3-131. Regulation of grizzly bear parts. A Except as provided in [section 1], a person who is responsible for the death of a grizzly bear shall deliver all parts of the grizzly bear required by department or commission regulation for scientific purposes to an officer or employee of the department for inspection as soon~~



1 as possible after removal, and the department shall return to the person any bone structure and skull within 1 year
 2 upon written request. The hide must be returned immediately."

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 4 ~~Section 4.~~ Section 87-6-218, MCA, is amended to read:

5 ~~"87-6-218. Checking station offenses. (1) A Except as provided in [section 1], a person, upon the~~
 6 ~~request of the director, the director's authorized representative, or any game warden, shall produce for inspection~~
 7 ~~any current fish and game license that has been issued to the person and any game animals, birds, fish, or~~
 8 ~~fur-bearing animals in the person's possession. Hunters or anglers entering or leaving areas for which checking~~
 9 ~~stations have been established shall stop and report if a checking station is on the hunter's or angler's route of~~
 10 ~~travel to or from the hunting or fishing area and personnel are on duty.~~

11 ~~(2) A person convicted of a violation of this section shall be fined not less than \$50 or more than \$1,000~~
 12 ~~or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person, upon~~
 13 ~~conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping~~
 14 ~~license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in~~
 15 ~~77-1-101, for recreational purposes for a period of time set by the court."~~

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 17 NEW SECTION. Section 3. Codification instruction. (1) [Section 1] is intended to be codified as an
 18 integral part of Title 87, chapter 3, part 3, and the provisions of Title 87, chapter 3, part 3, apply to [section 1].

19 (2) [Section 2] is intended to be codified as an integral part of Title 87, chapter 6, part 4, and the
 20 provisions of Title 87, chapter 6, part 4, apply to [section 2].

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 22 NEW SECTION. Section 4. Effective date. [This act] is effective July 1, 2017.

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