

HOUSE BILL NO. 907

INTRODUCED BY K. SULLIVAN,

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO HUNTING LICENSES; REVISING THE NONRESIDENT BONUS POINT APPLICATION FEE; ALLOWING FOR ~~NONRESIDENT~~ LANDOWNERS TO PURCHASE AN ADDITIONAL BONUS POINT IF THEY PARTICIPATE IN A BLOCK MANAGEMENT HUNTING ACCESS PROGRAM; AMENDING SECTIONS 87-2-113 AND 87-2-115, MCA; REPEALING SECTION 87-2-714, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

Section 1. Section 87-2-113, MCA, is amended to read:

"87-2-113. Application fees. (1) (a) Except as provided in subsection (1)(b), when the department determines a drawing is necessary prior to issuance of hunting licenses for any game species during a hunting season, it shall collect a \$5 per-species application fee for each species.

(b) The department shall collect the following ~~per-species~~ special license application fees for each species:

- (i) moose--resident, \$10; nonresident, \$50;
- (ii) mountain goat--resident, \$10; nonresident, \$50;
- (iii) mountain sheep--resident, \$10; nonresident, \$50;
- (iv) wild buffalo or bison--resident, \$10; nonresident, \$50.

(2) (a) If a resident participates in the bonus point system adopted by the commission, the department shall collect an additional application fee of \$2 ~~per~~ for each species.

(b) (i) If a nonresident participates in the bonus point system adopted by the commission, the department shall collect an additional application fee of \$20 ~~per~~ \$25 for each species.

(ii) A ~~nonresident~~ landowner may purchase an additional bonus point for an elk or deer license or permit drawing for the fee established in 87-2-113 if the ~~nonresident~~ landowner:

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1 (A) owns at least 640 contiguous acres in fee title;

2 (B) was enrolled in a department-administered private land hunting access program pursuant to
3 87-1-265 in the previous license year; and

4 (C) has purchased a Class B-10 license for the current license year.

5 (3) Application fees collected pursuant to this section must be deposited in the state special
6 revenue fund to the credit of the department as set forth in 87-1-601.

7 (4) The payment of an application fee confers no hunting rights or privileges.

8 (5) The commission may waive the provisions of subsection (1) when a drawing is required for a
9 special season under 87-1-304."

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11 **Section 2.** Section 87-2-115, MCA, is amended to read:

12 **"87-2-115. Nonresident elk and deer license preference point system.** (1) The department shall
13 establish a preference point system to distribute Class B-10 nonresident big game combination licenses and
14 Class B-11 nonresident deer combination licenses.

15 (2) Nonresidents applying to purchase a Class B-10 or Class B-11 license may purchase a
16 preference point, ~~upon~~on payment of a nonrefundable \$100 fee, that gives an applicant who has more
17 preference points priority to receive a Class B-10 or Class B-11 license over an applicant who has purchased
18 fewer preference points.

19 (3) An applicant may:

20 (a) purchase only one preference point ~~per~~each license year except a nonresident hunting with an
21 outfitter licensed pursuant to Title 37, chapter 47, part 3, and providing the documentation required in
22 subsection (8), may purchase two preference points ~~per~~each license year. No applicant may accumulate more
23 than three preference points total.

24 (b) purchase a preference point without applying for a Class B-10 or Class B-11 license. An
25 applicant not applying for a Class B-10 or Class B-11 license may purchase a preference point only between
26 July 1 and December 31 of that license year.

27 (4) (a) The department shall delete an applicant's accumulated preference points if the applicant:

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- 1 (i) obtains a Class B-10 or Class B-11 license; or
- 2 (ii) does not apply for a Class B-10 or Class B-11 license in consecutive years.
- 3 (b) If an applicant is unsuccessful in drawing a Class B-10 or Class B-11 license, the department
- 4 shall allow the applicant to keep and apply preference points to subsequent drawings if done in consecutive
- 5 years.
- 6 (5) ~~Subject to the provisions of 87-2-714, the~~ The department shall issue 75% of the Class B-10
- 7 and Class B-11 licenses made available for purchase pursuant to 87-2-505 and 87-2-510 by drawings in which
- 8 the licenses are awarded to applicants in the order of which applicants have purchased the greatest number of
- 9 preference points. If the number of licenses to be issued under this subsection exceeds the number of
- 10 applicants who have purchased preference points, the remaining licenses must be added to the licenses issued
- 11 pursuant to subsection (6).
- 12 (6) ~~Subject to the provisions of 87-2-714, the~~ The department shall issue 25% of the Class B-10
- 13 and Class B-11 licenses made available for purchase pursuant to 87-2-505 and 87-2-510 by drawings in which
- 14 the licenses are awarded to applicants who have not purchased any preference points. If the number of
- 15 licenses to be issued under this subsection exceeds the number of applicants who have not purchased
- 16 preference points, the remaining licenses must be added to the licenses issued pursuant to subsection (5).
- 17 (7) Up to five applicants may apply as a party under this section. The department shall use an
- 18 average of the number of preference points accumulated by those applicants to determine their priority in
- 19 receiving licenses issued pursuant to subsection (5). The department shall calculate the average rounded to the
- 20 third decimal place.
- 21 (8) A nonresident purchasing a second preference point pursuant to subsection (3)(a) shall provide
- 22 written affirmation at the time of application indicating the name and license number of the outfitter with whom
- 23 the person intends to hunt. If the nonresident obtains the license applied for with the preference points
- 24 purchased pursuant to subsection (3)(a), the nonresident may only use the license when accompanied by an
- 25 outfitter or the outfitter's designee licensed to provide guiding services.
- 26 (9) (a) Fees collected from a nonresident purchasing a second preference point pursuant to
- 27 subsection (3)(a) must be allocated as follows:

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- 1 (i) 25% to public access land agreements established pursuant to 87-1-295;
- 2 (ii) 25% to hunting access programs established pursuant to 87-1-265;
- 3 (iii) 25% to the future fisheries program established in 87-1-272 with a priority given to funding
- 4 projects that provide public access through private property; and
- 5 (iv) 25% to the purchase of permanent easements through private property to access otherwise
- 6 inaccessible lands. An easement funded by this subsection (9)(a)(iv) may be granted only across private land to
- 7 public land that is leased by the landowner, public land for which there is no leaseholder, or public land for
- 8 which the landowner has consent of the leaseholder.
- 9 (b) The department may expend up to 10% of the revenue allocated pursuant to subsection (9)(a)
- 10 to pay administrative costs incurred by the department for the purposes outlined in subsection (9)(a), including
- 11 but not limited to contracting and transaction costs incurred by the department or entities partnering with the
- 12 department, and for providing support to the private land/public wildlife advisory committee for its review of
- 13 public access land agreements pursuant to 87-1-295.
- 14 (c) At the end of each fiscal year, funds allocated pursuant to subsection (9)(a) that remain
- 15 unobligated are available to the department for any purpose pursuant to 87-1-201(3)."

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17 **NEW SECTION. Section 3. Repealer.** The following section of the Montana Code Annotated is

18 repealed:

19 87-2-714. Landowner preference for Class B-10 nonresident big game combination license.

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21 **NEW SECTION. Section 4. Effective date.** [This act] is effective March 1, 2026.

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