

Amendment - 1st Reading/2nd House-blue - Requested by: Jill Cohenour - (S) Fish and Game

- 2025

69th Legislature 2025

Drafter: Maxwell Parson,

HB0897.001.001

HOUSE BILL NO. 897

INTRODUCED BY J. COHENOUR, M. MARLER, T. RUNNING WOLF, J. SECKINGER

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A NONRESIDENT ~~WILDLIFE MANAGEMENT~~
~~AREA~~ SHED HUNTING LICENSE; IMPLEMENTING A WAITING PERIOD FOR NONRESIDENTS;
ESTABLISHING VIOLATIONS AND ESTABLISHING PENALTIES; DEFINING "SHED HUNT" AND "SHED
HUNTING"; PROVIDING RULEMAKING AUTHORITY; AND AMENDING SECTIONS 87-1-304, 87-2-101, 87-
2-201, AND 87-2-202, MCA."

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

NEW SECTION. Section 1. Class F--nonresident ~~wildlife management area~~ shed hunting
license. (1) A person who is not a resident as defined in 87-2-102, on payment of a \$50 fee, is entitled to
receive a Class F license that authorizes the holder of the license to shed hunt as defined in ~~87-1-201~~ 87-2-101
~~in a wildlife management area.~~

(2) A person found in violation of this section:
(a) for a first offense, must be given a warning;
(b) for a second offense, is guilty of a misdemeanor and shall be fined not more than twice the cost
of a Class F license. In addition, the person, on conviction or forfeiture of bond or bail, may be subject to
forfeiture of any current shed hunting license and the privilege to shed hunt in a wildlife management area for a
period of time set by the court.

(c) for a third offense, is guilty of a misdemeanor and shall be fined not more than \$500. In
addition, the person, on conviction or forfeiture of bond or bail, shall forfeit any current shed hunting license and
the privilege to shed hunt in a wildlife management area for a period of time set by the court.

Section 2. Section 87-1-304, MCA, is amended to read:

"87-1-304. Fixing of seasons and bag and possession limits. (1) Subject to the provisions of 87-5-

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- 1 (b) has never been subject to the per capita fee under 15-24-921;
- 2 (c) has never been owned by a person; and
- 3 (d) is not the offspring of a bison that has been subject to the per capita fee under 15-24-921."
- 4

5 **Section 4.** Section 87-2-201, MCA, is amended to read:

6 **"87-2-201. Conservation license required and prerequisite for other licenses.** (1) Except as

7 provided in 87-2-803(6) and 87-2-815, it is unlawful for any person to engage in any of the following without first

8 having purchased a conservation license as provided in this part:

9 (a) purchase or apply for a hunting, fishing, nonresident wildlife management area shed hunting, or

10 trapping license;

11 (b) use lands owned or controlled by the department; or

12 (c) engage in general recreational use as defined in 77-1-101 on state trust land pursuant to an

13 agreement established under 77-1-815.

14 (2) If the department of natural resources and conservation and the department enter into an

15 agreement pursuant to 77-1-815, the department shall submit every other legislative session a report to the

16 legislature in accordance with 5-11-210 that documents the number of conservation licenses sold and revenue

17 received pursuant to this section. The first report shall be provided to the legislature by January 1, 2027."

18

19 **Section 5.** Section 87-2-202, MCA, is amended to read:

20 **"87-2-202. Application -- fee.** (1) Except as provided in 87-2-817(2), a conservation license must be

21 sold upon written application. The application must contain the applicant's name, age, [last four digits of the

22 applicant's social security number,] street address of permanent residence, mailing address, qualifying length of

23 time as a resident in the state of Montana, and status as a citizen of the United States or as an alien and must

24 be signed by the applicant. The applicant shall present a valid Montana driver's license, a Montana driver's

25 examiner's identification card, a tribal identification card, or other identification specified by the department to

26 substantiate the required information when applying for a conservation license. It is the applicant's burden to

27 provide documentation establishing the applicant's identity and qualifications to purchase a conservation

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1 license or to receive a free conservation license pursuant to 87-2-817(2).

2 (2) Hunting, fishing, nonresident ~~wildlife management area~~ shed hunting, or trapping licenses
3 issued in a form determined by the department must be recorded according to rules that the department may
4 prescribe.

5 (3) (a) Resident conservation licenses may be purchased for a fee of \$8, of which 25 cents is a
6 voluntary search and rescue donation.

7 (b) Nonresident conservation licenses may be purchased for a fee of \$10, of which 25 cents is a
8 voluntary search and rescue donation.

9 (c) A person who purchases a conservation license may make a written election not to pay the
10 additional search and rescue donation in subsections (3)(a) and (3)(b). If a written election is made, the
11 donation may not be collected.

12 [(4) The department shall keep the applicant's social security number confidential, except that the
13 number may be provided to the department of public health and human services for use in administering Title
14 IV-D of the Social Security Act.]

15 (5) The department shall delete the applicant's social security number in any electronic database
16 [5 years after the date that application is made for the most recent license]. (Bracketed language terminates or
17 is amended on occurrence of contingency--sec. 3, Ch. 321, L. 2001. The \$2 conservation license fee increases
18 in subsections (3)(a) and (3)(b) enacted by Ch. 596, L. 2003, are void on occurrence of contingency--sec. 8,
19 Ch. 596, L. 2003.)"

20
21 **NEW SECTION. Section 6. Codification instruction.** [Section 1] is intended to be codified as an
22 integral part of Title 87, chapter 2, part 5, and the provisions of Title 87, chapter 2, part 5, apply to [section 1].

23 - END -