

## SENATE BILL NO. 344

INTRODUCED BY J. PETERSON, BALES, BALLYEAT, DE. BARRETT, BRENDEN, T. BROWN,  
BRUEGGEMAN, GEBHARDT, LEWIS, RIPLEY, STAHL, STEINBEISSER, TUTVEDT

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE FUTURE OWNERSHIP, BREEDING, AND SALE OF WOLF HYBRIDS; REQUIRING THE REPORTING, IDENTIFICATION, AND TATTOOING OF PRESENTLY OWNED WOLF HYBRIDS; DEFINING "WOLF HYBRID"; PROVIDING A PENALTY FOR FAILURE TO REPORT A WOLF HYBRID; PROVIDING THAT A PERSON WHO HOLDS A WOLF HYBRID IN CAPTIVITY IS LIABLE FOR PERSONAL PROPERTY DAMAGE THAT IS CAUSED BY THE WOLF HYBRID; AMENDING SECTIONS 87-1-231 AND 87-1-233, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 87-1-231, MCA, is amended to read:

**"87-1-231. Tattooing and reporting of bears, wolves, wolf hybrids, tigers, mountain lions, or coyotes -- when required -- penalty definition -- penalties.** (1) Any bear, wolf, wolf hybrid, tiger, mountain lion, or coyote that is ~~captured alive to be later released or which is held in captivity~~ possessed for any purpose must be reported to the department within 3 days of the ~~capture or commencement of captivity~~ possession. If ~~a~~ the person ~~capturing or holding~~ who possesses the animal in captivity such animal fails to report ~~an~~ the animal as required by this section, ~~such that~~ failure is a misdemeanor punishable as provided in 87-1-102.

(2) Each animal reported as required in subsection (1) ~~shall~~ must be permanently tattooed or otherwise permanently identified in a manner that will provide positive individual identification of ~~such~~ the animal. ~~No~~ A tattoo is not required under this section if the animal is subject to a permanent, individual identification process by another state or federal agency. The provisions of Title 87, chapter 4, part 8, apply to a wolf hybrid that is kept in captivity in a roadside menagerie or zoo.

(3) Any person holding a bear, wolf, wolf hybrid, tiger, mountain lion, or coyote in captivity shall immediately report to the department any death, escape, release, transfer of custody, or other change in disposition or location of ~~such~~ the animal.

(4) (a) After [the effective date of this act], the ownership, breeding, or sale of a wolf hybrid is prohibited, except that a person who owns a wolf hybrid on [the effective date of this act] may keep the animal if the reporting

1 and tattooing requirements of this section are met. In addition to the penalty in subsection (1), failure to meet the  
2 reporting and tattooing requirements shall result in loss of the wolf hybrid at the owner's expense.

3 (b) A person who reports the possession of a wolf hybrid pursuant to subsection (1) shall provide a  
4 photograph of the animal and a suitable genetic sample, as determined by department rule, so that the animal  
5 may be definitively identified.

6 (5) As used in this section and 87-1-233, "wolf hybrid" means any canid that is declared by the owner  
7 or person in possession to contain any HAS A GENETIC COMPOSITION THAT INDICATES THE CAPTIVE BREEDING OF A  
8 WOLF OR WOLVES OR THAT IS REPRESENTED BY THE OWNER TO THE PUBLIC AS BEING part wolf. "

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10 **Section 2.** Section 87-1-233, MCA, is amended to read:

11 **"87-1-233. Compensation for damage caused by animal held in captivity.** If any bear, wolf, wolf  
12 hybrid, tiger, mountain lion, or coyote that is held in captivity or that escapes from ~~such~~ captivity causes any  
13 damage to the personal property of another person, compensation for ~~such~~ the damage must be paid by the  
14 person holding or who held the animal in captivity."

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16 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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