



AN ACT REVISING FIREARMS LAWS; CREATING A PROCESS FOR QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS TO MAINTAIN THEIR FIREARMS QUALIFICATION AND MAINTAIN THEIR ABILITY TO CARRY CONCEALED AFTER RETIREMENT AS IF THEY WERE ACTIVE PEACE OFFICERS.

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

Section 1. Firearms certificates for qualified retired law enforcement officers. (1) The purpose of this section is to establish a process for issuing proof of firearms qualifications to a resident of the state who is otherwise a qualified retired law enforcement officer as defined in 7-32-201, or a peace officer as defined in 46-1-202, under the Federal Law Enforcement Officers Safety Act of 2004, 18 U.S.C. 926B and 926C, for the purpose of satisfying the qualification requirements contained in that act.

(2) A retired law enforcement officer or peace officer satisfies the federal certification requirements if they possess a valid firearms qualification certificate that:

(a) uses a current target from any law enforcement agency in the state that may be used by a certified firearms instructor that is qualified to conduct a firearms qualification test for active-duty officers within the state that indicates that the individual has, not less than 1 year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state or a certified firearms instructor that is qualified to conduct a firearms qualification test for active duty officers within the state to have met the requirements under the Federal Law Enforcement Officers Safety Act of 2004, 18 U.S.C. 926B and 926C;

(b) provides that either a law enforcement agency as defined in 7-32-201 or an individual or entity certified to provide firearms training as provided in 37-60-101 acknowledges that the bearer has been found qualified or otherwise found to meet the standards established by the firearms qualification for the peace officer basic course at the Montana law enforcement academy; and

(c) complies with the time restrictions provided under subsection (3).

(3) The firearms certification is valid for a period of 1 year from the date that the law enforcement agency or individual or entity verified that the firearms qualification standards were met by the bearer on an equivalency course of fire established by any law enforcement agency in the state as an appropriate standard duty qualification course as it would relate to qualified retired officers. The date of the successful qualification must be on the certification card.

(4) The retired law enforcement officer or peace officer is responsible for paying the costs of the firearms qualification required under subsection (2).

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 44, and the provisions of Title 44 apply to [section 1].

- END -

I hereby certify that the within bill,
SB 223, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2021.

Speaker of the House

Signed this _____ day
of _____, 2021.

SENATE BILL NO. 223

INTRODUCED BY T. GAUTHIER

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