

HOUSE BILL NO. 226

INTRODUCED BY J. COHENOUR, JENT, J. TROPILA, MILBURN

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE HOLDER OF A REPLACEMENT LICENSE, PERMIT, OR TAG FROM MAKING THE REPLACEMENT LICENSE, PERMIT, OR TAG AVAILABLE FOR USE BY ANOTHER PERSON; AMENDING SECTION 87-2-104, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 87-2-104, MCA, is amended to read:

"87-2-104. Number of licenses, permits, or tags allowed -- fees. (1) It is unlawful for ~~any~~ a person to apply for, purchase, or possess more than one license, permit, or tag of any one class or more than one special license for any one species listed in 87-2-701. This provision does not apply to Class B-4 or Class B-5 licenses or to licenses issued under subsection ~~(3)~~ (4) for game management purposes. However, when more than one license, permit, or tag is authorized by the commission, it is unlawful to apply for, purchase, or possess more licenses, permits, or tags than are authorized.

(2) It is unlawful for the holder of a replacement license, permit, or tag to make the replacement license, permit, or tag available for use by another person.

~~(3)~~ (4) The department may prescribe rules and regulations for the issuance or sale of a replacement license, permit, or tag ~~in the event if~~ the original license, permit, or tag is lost, stolen, or destroyed ~~upon payment of a fee not to exceed \$5~~ UPON PAYMENT OF A FEE NOT TO EXCEED \$5.

~~(3)~~ (4) When authorized by the commission for game management purposes, the department may issue more than one Class A-3, Class A-4, Class A-5, Class A-7, Class B-7, Class B-8, Class B-10, Class B-11, or special antelope license to an applicant. An applicant for these game management licenses is not at the time of application required to hold any license or permit of that class.

~~(4)~~ (5) When authorized by the commission for game management purposes, the department may issue Class A-9; resident antlerless elk B tag licenses and Class B-12 nonresident antlerless elk B tag licenses entitling the holder to take an antlerless elk. An applicant must have a Class A-5 or Class A-7 license to be eligible for a Class A-9 license. An applicant must have a Class B-10 or Class B-13 license to be eligible for a Class B-12 license. The commission shall determine the hunting districts or portions of hunting districts for which Class A-9

and Class B-12 licenses are to be issued, the number of licenses to be issued, and all terms and conditions for the use of the licenses.

~~(5)(6)~~ The fee for ~~any~~ a resident or nonresident license of any class issued under subsection ~~(3)~~ (4) must be set annually by the department and may not exceed the regular fee provided by law for that class or species."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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