

## 1 HOUSE BILL NO. 314

2 INTRODUCED BY R. DRISCOLL

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE SALE, TRADE, OR GIFT OF OR BARTER WITH  
5 OR FOR LIVE DOMESTIC ANIMALS ON A ROADSIDE, PUBLIC RIGHT-OF-WAY, OR COMMERCIAL  
6 PARKING LOT OR AT AN OUTDOOR SALE, VEGETABLE OR FARMER'S MARKET, SWAP MEET, FLEA  
7 MARKET, PARKING LOT SALE, OR SIMILAR EVENT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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11 NEW SECTION. **Section 1. Limitation on sale or exchange of live domestic animals.** (1) It is  
12 unlawful for any person to sell, trade, give away, or barter with or for a live domestic animal on a roadside, public  
13 right-of-way, or commercial parking lot or at an outdoor sale, vegetable or farmer's market, swap meet, flea  
14 market, parking lot sale, or similar event.

15 (2) This section does not apply to:

16 (a) an agent of a business that has a certificate of occupancy from the local building department  
17 authorizing the occupancy of the premises for purposes of operating a business selling live domestic animals and  
18 pets;

19 (b) an event primarily for the sale of agricultural livestock such as hoofed animals or animals or fowl  
20 commonly raised for food, dairy, or fiber products;

21 (c) a tax-exempt nonprofit organization founded for providing humane sanctuary or shelter for abandoned  
22 or unwanted animals with the property owner's permission; or

23 (d) a dog or cat show.

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25 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
26 integral part of Title 7, chapter 23, and the provisions of Title 7, chapter 23, apply to [section 1].

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

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