

SENATE BILL NO. 75

INTRODUCED BY J. PRIEST

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A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE DONATION OF HUNTING LICENSES TO DISABLED VETERANS AND DISABLED MEMBERS OF THE ARMED FORCES; GRANTING RULEMAKING AUTHORITY; EXEMPTING DONATED LICENSES FROM CERTAIN LIMITATIONS ON ISSUANCE; AMENDING SECTION 87-2-702, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Donation of hunting licenses to disabled veterans OR DISABLED MEMBERS OF THE ARMED FORCES. (1) The holder of any hunting license issued by the department may surrender that license and any related permit to the department for reissuance to a disabled veteran OR A DISABLED MEMBER OF THE ARMED FORCES for use on an expedition arranged by a nonprofit organization that IS EXEMPT FROM TAXATION UNDER 26 U.S.C. 501(C)(3) AND THAT uses hunting as part of the rehabilitation of disabled veterans AND DISABLED MEMBERS OF THE ARMED FORCES. The person surrendering the license; ~~is not eligible for a refund for the cost of the surrendered license.~~

(A) IS NOT ELIGIBLE FOR A REFUND FOR THE COST OF THE SURRENDERED LICENSE;

(B) MAY NOT DESIGNATE TO WHICH ORGANIZATION, DISABLED VETERAN, OR DISABLED MEMBER OF THE ARMED FORCES THE LICENSE IS BEING SURRENDERED; AND

(C) SHALL SURRENDER THE DONATED LICENSE AND ANY RELATED PERMIT BEFORE THE START OF ANY SEASON FOR WHICH THE LICENSE AND PERMIT ARE VALID.

(2) In order to obtain a license and any related permit pursuant to this section, a veteran OR A MEMBER OF THE ARMED FORCES:

(A) MUST BE A PURPLE HEART RECIPIENT;

~~(a)~~(B) must, as the result of wounds or injuries received in a combat zone, be medically retired, have a 70% or greater disability rating by the United States department of veterans affairs or department of defense, or have active duty status while receiving medical treatment at a medical facility;

~~(b)~~(C) is not required to be a resident;

~~(c)~~(D) does not have to first obtain a wildlife conservation license; and



1 ~~(d)~~(E) is not required to pay any fee.

2 (3) A license and any related permit reissued pursuant to this section entitles the disabled veteran OR
3 DISABLED MEMBER OF THE ARMED FORCES to take the same species in the same administrative region or regions,
4 hunting district or districts, or portions thereof, as allowed by the license and any related permit that was
5 surrendered.

6 (4) Any license or permit surrendered or reissued pursuant to this section may not be sold, traded,
7 auctioned, or offered for any monetary value and may not be used by any person other than a disabled veteran
8 OR DISABLED MEMBER OF THE ARMED FORCES who meets the requirements of subsection (2).

9 (5) The restrictions in 87-2-702(3) and (4) do not apply to a disabled veteran OR A DISABLED MEMBER OF
10 THE ARMED FORCES who obtains a license pursuant to this section.

11 (6) The department may adopt rules to implement the provisions of this section.

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13 **Section 2.** Section 87-2-702, MCA, is amended to read:

14 **"87-2-702. Restrictions on special licenses -- availability of bear and mountain lion licenses.** (1)

15 A person who has killed or taken any game animal, except a deer, an elk, or an antelope, during the current
16 license year is not permitted to receive a special license under this chapter to hunt or kill a second game animal
17 of the same species.

18 (2) The commission may require applicants for special permits authorized by this chapter to obtain a valid
19 big game license for that species for the current year prior to applying for a special permit.

20 (3) ~~A~~ Except as provided in [section 1], a person may take only one grizzly bear in Montana with a
21 license authorized by 87-2-701.

22 (4) (a) Except as provided in 87-1-271(2) and [section 1], a person who receives a moose, mountain
23 goat, or limited mountain sheep license, as authorized by 87-2-701, with the exception of an antlerless moose
24 or an adult ewe game management license issued under 87-2-104, is not eligible to receive another special
25 license for that species for the next 7 years. For the purposes of this subsection (4)(a), "limited mountain sheep
26 license" means a license that is valid for an area in which the number of licenses issued is restricted.

27 (b) Except as provided in 87-1-271(2) and [section 1], a person who takes a mountain sheep using an
28 unlimited mountain sheep license, with the exception of a mountain sheep taken pursuant to an adult ewe license,
29 as authorized by 87-2-701, is not eligible to receive another special license for that species for the next 7 years.
30 For the purposes of this subsection (4)(b), "unlimited mountain sheep license" means a license that is valid for

1 an area in which the number of licenses issued is not restricted.

2 (5) An application for a wild buffalo or bison license must be made on the same form and is subject to
3 the same license application deadline as the special license for moose, mountain goat, and mountain sheep.

4 (6) (a) Licenses for spring bear hunts must be available for purchase at department offices after April
5 15 of any license year. However, a person who purchases a license for a spring bear hunt after April 15 of any
6 license year may not use the license until 5 days after the license is issued.

7 (b) Licenses for fall bear hunts must be available for purchase at department offices after August 31 of
8 any license year. However, a person who purchases a license for a fall bear hunt after August 31 of any license
9 year may not use the license until 5 days after the license is issued.

10 (7) Licenses for mountain lion hunts must be available for purchase at department offices after August
11 31 of any license year. However, a person who purchases a license for a mountain lion hunt after August 31 of
12 any license year may not use the license until 5 days after the license is issued."

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14 NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an
15 integral part of Title 87, chapter 2, part 8, and the provisions of Title 87, chapter 2, part 8, apply to [section 1].

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17 NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

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