

SENATE BILL NO. 120

INTRODUCED BY D. KARY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE REGULATION OF GAME
5 ANIMALS THAT DAMAGE PROPERTY; REVISING ELIGIBILITY FOR GAME DAMAGE ASSISTANCE;
6 REVISING PROVISIONS FOR SPECIAL SEASONS; AND AMENDING SECTION 87-1-225, MCA."

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

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10 **Section 1.** Section 87-1-225, MCA, is amended to read:

11 **"87-1-225. Regulation of wild animals damaging property -- ~~public~~ hunting requirements.** (1)

12 ~~Subject to the provisions of subsection (2), a~~ A landowner is eligible for game damage assistance under
13 subsection ~~(3)~~ (2) if the landowner:

14 ~~_____ (a) allows public hunting during established hunting seasons; or~~

15 ~~_____ (b) does not significantly reduce public hunting through imposed restrictions.~~

16 ~~_____ (2) The department may provide game damage assistance when public hunting on a landowner's~~
17 ~~property has been denied because of unique or special circumstances that have rendered public hunting~~
18 ~~inappropriate.~~

19 ~~(3)(2)~~ (2) Within 48 hours after receiving a request or complaint from ~~any landholder or person in possession~~
20 ~~and having charge of any land in the state~~ a landowner or a landowner's agent that ~~wild game~~ wild game animals of the
21 ~~state, protected by the fish and game laws and regulations, law or rule under Title 87~~ are doing damage to the
22 landowner's property or to crops on the property, the department shall investigate and arrange to study the
23 situation with respect to damage and depredation. The department ~~may then decide to~~ shall open a special
24 season on the game animals or, if the special season method is not feasible, the department may destroy the
25 animals causing the damage. The special season may include property owned by an adjacent landowner with
26 the adjacent landowner's permission. The department may authorize and grant the holders of the property
27 permission to kill or destroy a specified number of the game animals causing the damage. ~~A wild, ferocious~~
28 ~~animal damaging property or endangering life is not covered by this section."~~

29 - END -