

OFFICE OF THE GOVERNOR  
STATE OF MONTANA

STEVE BULLOCK  
GOVERNOR



MIKE COONEY  
LT. GOVERNOR

February 23, 2017

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, MT 59620

The Honorable Scott Sales  
President of the Senate  
State Capitol  
Helena, MT 59620

Dear Speaker Knudsen and President Sales:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I do hereby veto House Bill 262 (HB 262), "AN ACT REVISING CONCEALED WEAPONS LAWS; PROVIDING THAT THE OFFENSE OF CARRYING A CONCEALED WEAPON DOES NOT APPLY TO A PERSON WHO IS ELIGIBLE TO POSSESS A HANDGUN UNDER STATE OR FEDERAL LAW; AND AMENDING SECTION 45-8-317, MCA."

During the 2013 legislative session I vetoed House Bill 304 and in 2015 I vetoed House Bill 298 –both bills identical to this session's House Bill 262. I now veto HB 262 for the same reasons. Montana grants the authority to issue a concealed weapons permit to our locally elected sheriffs, who "shall" issue a permit to an applicant. The sheriff may require completion of basic firearms safety training before issuing a permit or they may deny a permit to a person struggling with mental illness. Denials are uncommon, and only happen under the most extreme circumstances.

HB 262 would effectively eliminate Montana's concealed weapon permitting process by allowing anyone eligible to possess and handgun to carry a concealed weapon without a permit. The measure would allow individuals to decide for themselves whether they are eligible to carry a concealed weapon.

If the logic of HB 298 were applied to other situations, there would be no need for a person to be licensed before driving on our highways—all they would need to do would be to determine whether they were "eligible" to drive. The same goes for pilot's licenses, building permits, hunting licenses, or any other type of permit. While I will fiercely defend the 2nd Amendment rights of our citizens, I cannot support an absurd concept that threatens the safety of our communities by not providing for the basic fundamentals of gun safety or mental health screening.

Speaker Knudsen  
President Sales  
February 23, 2017  
Page 2

Law enforcement and others have raised significant concerns with this bill and how it would impact the safety of their communities. For these reasons, I respectfully ask you to oppose this bill and sustain my veto.

Sincerely,



STEVE BULLOCK  
Governor

cc: Legislative Services Division  
Secretary Corey Stapleton

[http://www.choteauacantha.com/opinion/article\\_f0427d54-84e8-11e6-9690-23cdd5775a5.html](http://www.choteauacantha.com/opinion/article_f0427d54-84e8-11e6-9690-23cdd5775a5.html)

## Sheriffs support existing concealed laws

Sep 28, 2016

Montana has some of the least-restrictive gun laws in America, which is good. Carrying firearms in Montana is free of many restrictions unless the firearm is concealed. Even Montana's concealed firearm laws are some of the least restrictive in the nation, which is also good.

The common sense laws we have are intended to preserve the peace in our cities and towns. They are firmly grounded in the Montana Constitution, which states:

Article II. Declaration of Rights. Section 12. Right to bear arms. The right of any person to keep or bear arms in defense of his own home, person, and property, or in aid of the civil power when thereto legally summoned, shall not be called in question, but nothing herein contained shall be held to permit the carrying of concealed weapons.

A person in Montana may carry a concealed firearm while they are hunting, fishing, hiking, ranching or on their own property, and the list continues.

However, when a person enters a city or town, a permit from the county sheriff is required to carry a concealed firearm. Montana's current laws strike an equitable balance between citizens exercising their Second Amendment rights with as few limitations as possible while also protecting public safety.

When applying for a concealed weapon permit, the applicant is subject to a more thorough background check than the background check done when purchasing a firearm. Your sheriff checks to ensure the person is not wanted for a crime, a past felon or restricted from carrying firearms for other reasons. The sheriff may deny an applicant a permit to carry a concealed weapon if the sheriff has reasonable cause to believe that the applicant is mentally ill, mentally disordered or mentally disabled or otherwise may be a threat to the peace and good order of the community to the extent that the applicant should not be allowed to carry a concealed weapon.

At the time an application is denied, the sheriff shall, unless the applicant is the subject of an active criminal investigation, give the applicant a written statement of the reasonable cause upon which the denial is based. Prior to issuing a permit, the sheriff may require the applicant to demonstrate some familiarity/safety with firearms. If these criteria are met, the sheriff must issue a concealed weapon permit.

A concealed weapon permit entitles a person to carry a concealed weapon, skip the background check when purchasing a firearm, and carry concealed in states with which Montana has reciprocity. According to the Montana Department of Justice, a Montana concealed weapon permit is also valid in 43 other states.

In the 2013 and 2015 legislative sessions Governor Bullock vetoed bills that would allow any person legally allowed to possess a firearm to carry a concealed weapon in a city or town without a permit. For example, House Bill 304 in 2013 would have effectively eliminated Montana's concealed weapon permitting process by allowing anyone eligible to possess a handgun to carry a concealed weapon without a permit. The measure would have allowed individuals to decide whether they are eligible to carry a concealed weapon.

In fact, we asked Governor Bullock to veto HB 304 and others like it because we strongly believe the current law provides an additional necessary check to ensure public safety when carrying a concealed weapon in Montana's cities and towns.

While we, as a group, do not support or endorse any political candidate, we do wish to set the record straight. Sheriffs support the existing permit requirements for concealed weapon permits, as a matter of public safety. Opposing unrestricted concealed carrying of weapons by anyone, anywhere does not equate to opposing the Second Amendment.

The undersigned elected sheriffs in the state of Montana support the Second Amendment. We also support the existing permit requirements for concealed weapon permits as a matter of public safety.

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Keith VanSetten of Choteau is the Republican sheriff in Teton County. He along with 17 other county sheriffs signed this op-ed piece from the Montana Sheriffs and Peace Officers Association.

*This opinion is signed by the following county sheriffs in Montana: Sheriff Keith Van Setten, Teton County; Sheriff Tony Harbaugh, Custer County; Sheriff Brian Gootkin, Gallatin County; Sheriff Chris Hoffman, Ravalli County; Sheriff Leo Dutton, Lewis and Clark County; Sheriff Chuck Curry, Flathead County; Sheriff Mike Linder, Yellowstone County; Sheriff Donna Whitt, Toole County; Sheriff Dan Tronrud, Sweet Grass County; Sheriff Bob Edwards, Cascade County; Sheriff Frank Kluesner, Beaverhead County; Sheriff Glenn Huestis, Blaine County; Sheriff Wynn Meehan, Broadwater County; Sheriff Troy Eades, Fergus County; Sheriff Vern Burdick, Chouteau County; Sheriff Josh McQuillan, Carbon County; Sheriff T.J. McDermott, Missoula County; and Sheriff Craig Doolittle, Jefferson County.*