

SENATE BILL NO. 173

INTRODUCED BY J. COHENOUR, T. FACEY, S. HINEBAUCH, E. MCCLAFFERTY, M. MCNALLY,
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A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE USE OR SALE OF DEER OR ELK URINE
ORIGINATING IN A PLACE WITH DOCUMENTED OCCURRENCES OF CHRONIC WASTING DISEASE; AND
PROVIDING AN ~~IMMEDIATE~~ A DELAYED EFFECTIVE DATE."

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

NEW SECTION. Section 1. Imported urine -- use OR SALE prohibited. The (1) EXCEPT AS PROVIDED
IN SUBSECTION (2), THE use OR SALE of deer or elk urine to mask human odor is prohibited if the urine originated
in a state or province with documented occurrences of chronic wasting disease as determined by the commission.

(2) THE COMMISSION MAY ALLOW DEER OR ELK URINE OTHERWISE PROHIBITED BY SUBSECTION (1) IF THE DEER
OR ELK URINE IS PRODUCED IN A FACILITY THAT THE COMMISSION DETERMINES:

(A) COMPLIES WITH A FEDERAL OR A FEDERALLY APPROVED CHRONIC WASTING DISEASE HERD CERTIFICATION
PROGRAM AND ANY FEDERAL CHRONIC WASTING DISEASE PROTOCOLS AND RECORD REQUIREMENTS;

(B) DOES NOT ALLOW IMPORTATION OF LIVE CERVIDS, EXCEPT IN CASES OF CATASTROPHIC LOSS OR HERD
REPLENISHMENT;

(C) REQUIRES THAT ALL CERVIDS EXPORTED FROM THE FACILITY BE TESTED FOR CHRONIC WASTING DISEASE
UPON DEATH AND THE RESULTS ARE REPORTED TO THE FACILITY;

(D) IS INSPECTED ANNUALLY BY AN ACCREDITED VETERINARIAN, INCLUDING INSPECTION OF THE HERD AND
APPLICABLE RECORDS; AND

(E) MAINTAINS A FENCE AT LEAST 8 FEET HIGH AROUND THE FACILITY AND, IF THE FACILITY IS LOCATED WITHIN
30 MILES OF A CONFIRMED POSITIVE OCCURRENCE OF CHRONIC WASTING DISEASE, IS DOUBLE FENCED TO PREVENT
DIRECT CONTACT BETWEEN CAPTIVE AND WILD CERVIDS.

(3) (A) EXCEPT AS PROVIDED IN SUBSECTION (3)(B), A VIOLATION OF THIS SECTION IS A MISDEMEANOR
PUNISHABLE BY A FINE OF UP TO \$500 FOR EACH SEPARATE OFFENSE.

(B) THROUGH JANUARY 31, 2019, VIOLATORS OF THIS SECTION MUST BE ISSUED A WARNING BUT MAY NOT BE
FINED.



