

## HOUSE BILL NO. 305

INTRODUCED BY B. HARRIS, D. BARTEL, B. BEARD, R. BRODEHL, B. BROWN, F. GARNER, C. GLIMM,  
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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO COUNTY BOUNTIES ON  
PREDATORS; ALLOWING COUNTIES TO ESTABLISH THE DOLLAR AMOUNT OF BOUNTIES; REVISING  
FUNDING SOURCES FOR BOUNTIES; REVISING THE TERM OF THE COUNTY LIVESTOCK FEE; REVISING  
APPOINTMENT OF BOUNTY INSPECTORS; AMENDING SECTIONS 81-7-201, 81-7-204, 81-7-303, AND  
81-7-603, MCA; AND REPEALING SECTION 81-7-202, MCA."

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

**Section 1.** Section 81-7-201, MCA, is amended to read:

**"81-7-201. County fee for bounties on predatory animals -- definition.** (1) Whenever the owners or  
agents of the owners of not less than 51% of the livestock of any county in this state present a petition to the  
board of county commissioners asking for the imposition of a fee upon the livestock of the county for the purpose  
of paying bounties on predatory animals killed in the county, the board of county commissioners shall impose the  
fee on all livestock in the county. The fee must remain in effect until a subsequent petition is submitted to modify  
or eliminate the fee.

(2) The board of county commissioners shall determine the dollar amount of the bounty to be paid on  
each predatory animal.

(3) The board of county commissioners may appoint bounty inspectors in addition to those provided for  
in 81-7-112.

(4) (a) Except as provided in subsection (4)(b), for the purposes of this part, "predatory animal" has the  
meaning provided in 81-7-101.

(b) The term does not include ~~game animals or animals that are unlawfully taken~~ SPECIES MANAGED OR  
PROTECTED SUBJECT TO TITLE 87."

**Section 2.** Section 81-7-204, MCA, is amended to read:

**"81-7-204. Presentation of skins -- affidavit.** A person claiming bounty on a predatory animal under

1 this part shall present the green skin or pelt of the animal, with all four feet attached, to one of the bounty  
 2 inspectors provided for in ~~81-7-202~~ 81-7-112 or 81-7-201 and shall make an affidavit that the animal was killed  
 3 within the county where the bounty is claimed. The affidavit must be corroborated by at least two reputable  
 4 stockowners of the county to the effect that they know or have good cause to believe that the animal was killed  
 5 within that county. For the purpose of this part, each bounty inspector ~~provided for in this part~~ is empowered to  
 6 administer oaths. The bounty inspector shall endorse upon the affidavit the inspector's approval or disapproval  
 7 of the claim and shall cut from the skin or pelt the four feet. The person applying for the bounty shall then present  
 8 the affidavit, with the endorsements, to the county auditor or, in counties not having an auditor, to the county clerk,  
 9 who shall attach the affidavit to a claim against the county bounty fund and present it to the board of county  
 10 commissioners for action, the same as any other claim against the county."

11

12 **Section 3.** Section 81-7-303, MCA, is amended to read:

13 **"81-7-303. County commissioners permitted to require per capita license fee on sheep.** (1) To  
 14 defray the expense of protection, the board of county commissioners of a county may require all owners or  
 15 persons in possession of a sheep 1 year of age or older in the county on the regular assessment date of each  
 16 year as provided in 15-24-903 to pay a per capita license fee in an amount to be determined by the board. All  
 17 owners or persons in possession of a sheep 1 year of age or older coming into the county after the regular  
 18 assessment date and subject to the per capita levy under the provisions of Title 15, chapter 24, part 9, are subject  
 19 to payment of the license fee.

20 (2) Upon the order of the board of county commissioners, the license fees may be imposed by entering  
 21 the name of the licensee upon the assessment record of the county by the department of revenue. The license  
 22 fees are payable to and must be collected by the county treasurer. When levied, the fees are a lien upon the  
 23 property, both real and personal, of the licensee. If the person against whom the license fee is levied does not  
 24 own real estate against which the license fee is or may become a lien, then the license fee is payable immediately  
 25 upon its levy and the treasurer shall collect the fee in the manner provided by law for the collection of personal  
 26 property taxes that are not a lien upon real estate.

27 (3) When collected, the fees must be placed in the predatory animal control fund and the fund may be  
 28 expended on order of the board of county commissioners of the county for predatory animal control, ~~only including~~  
 29 bounties paid pursuant to Title 81, chapter 7, part 2. Interest earned on money in the fund must be deposited in  
 30 the fund.

1 (4) Money from any source may be deposited in the predatory animal control fund provided for in this  
2 section to carry out the provisions of this part."

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4 **Section 4.** Section 81-7-603, MCA, is amended to read:

5 **"81-7-603. County commissioners permitted to require per capita license fee on cattle.** (1) To  
6 defray the expense of protection, the board of county commissioners may require all owners or persons in  
7 possession of cattle 9 months of age or older in the county on the regular assessment date of each year, as  
8 provided in 15-24-903, to pay a per capita license fee in an amount to be determined by the board. All owners  
9 or persons in possession of cattle 9 months of age or older coming into the county after the regular assessment  
10 date and subject to the per capita levy under the provisions of Title 15, chapter 24, part 9, are subject to payment  
11 of the license fee.

12 (2) Upon the order of the board of county commissioners, the license fee may be imposed by entering  
13 the name of the licensee on the assessment record of the county by the department of revenue. The license fee  
14 is payable to and must be collected by the county treasurer. When levied, the fee is a lien upon the property, both  
15 real and personal, of the licensee. If the person against whom the license fee is levied does not own real estate  
16 against which the license fee is or may become a lien, then the license fee is payable immediately upon its levy  
17 and the treasurer shall collect the fee in the manner provided by law for the collection of personal property taxes  
18 that are not a lien upon real estate.

19 (3) The fees must be placed in a predatory animal control fund separate from the fund provided for in  
20 81-7-303. The money in the predatory animal control fund may be expended by the board of county  
21 commissioners ~~only for the predatory animal control program~~ including bounties paid pursuant to Title 81, chapter  
22 7, part 2. Interest earned on money in the fund must be deposited in the fund.

23 (4) Money from any source may be deposited in the predatory animal control fund provided for in this  
24 section to carry out the provisions of this part."

25

26 **NEW SECTION. Section 5. Repealer.** The following section of the Montana Code Annotated is  
27 repealed:

28 81-7-202. Signers of petition -- time for presenting -- limitation on bounties -- bounty inspectors.

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