

## SENATE BILL NO. 187

INTRODUCED BY J. COHENOUR, T. FACEY, M. PHILLIPS

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING IMPORTATION OF ANIMAL CARCASSES FROM  
5 PLACES WITH DOCUMENTED OCCURRENCES OF CHRONIC WASTING DISEASES; ALLOWING  
6 EXCEPTIONS; PROVIDING ~~CRIMINAL PENALTIES~~ A PENALTY; AND PROVIDING ~~AN~~ A DELAYED  
7 EFFECTIVE DATE."

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

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11 NEW SECTION. Section 1. Prohibition on carcass imports. (1) Except as provided in subsection (2),  
12 it is unlawful to transport into this state the whole carcass or certain carcass parts of white-tailed deer, mule deer,  
13 moose, or elk from states or provinces with documented occurrences of chronic wasting disease, as determined  
14 by the fish and wildlife commission, in wild populations or on private game farms.

15 (2) The following carcass parts may be transported into this state from the places described in  
16 subsection (1):

- 17 (a) meat that is cut and wrapped or meat that is boned out;  
18 (b) quarters or other portions of meat with no part of the spinal column or head attached;  
19 (c) hides with no heads attached;  
20 (d) skull plates or antlers with no meat or tissue attached;  
21 (E) SKULLS THAT HAVE BEEN BOILED AND CLEANED TO REMOVE FLESH AND TISSUE;  
22 ~~(e)~~(F) upper canine teeth; and  
23 ~~(f)~~(G) head, partial body, or whole body mounts prepared by a taxidermist.

24 (3) ~~(A) (a) Except as provided in subsection (3)(b), a~~ A- EXCEPT AS PROVIDED IN SUBSECTION (3)(B), A  
25 person convicted of a violation of this section shall be fined ~~not less than \$50 or more than \$1,000~~ UP TO \$500  
26 ~~or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person, upon~~  
27 conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping  
28 license issued by the state and the privilege to hunt, fish, or trap in this state or to use state lands as defined in  
29 77-1-101 for recreational purposes for a period of time set by the court.

30 ~~(b) A person convicted of a second or subsequent violation of this section that occurred within 3 years~~

1 ~~of the most recent previous violation is guilty of a felony and shall be fined not more than \$50,000 or be~~  
2 ~~imprisoned in the state prison for not more than 5 years, or both. In addition, the person shall forfeit any current~~  
3 ~~hunting, fishing, or trapping license or permit issued by this state and lose the privilege to hunt, fish, or trap in this~~  
4 ~~state for not less than 3 years up to a revocation for life from the date of conviction.~~

5 (B) THROUGH JANUARY 31, 2019, A PERSON WHO VIOLATES THIS SECTION FOR THE FIRST TIME MUST BE ISSUED  
6 A WARNING AND MAY NOT BE FINED. A PERSON WHO COMMITS A SUBSEQUENT VIOLATION PRIOR TO JANUARY 31, 2019,  
7 IS SUBJECT TO THE PENALTIES PROVIDED IN SUBSECTION (3)(A).

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9 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an  
10 integral part of Title 87, chapter 6, part 4, and the provisions of Title 87, chapter 6, part 4, apply to [section 1].

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12 NEW SECTION. Section 3. Effective date. [This act] is effective ~~July 1, 2017~~ JANUARY 1, 2018.

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