

HOUSE BILL NO. 275

INTRODUCED BY F. GARNER

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DONATION OF HUNTING LICENSES TO PURPLE HEART RECIPIENTS; AMENDING SECTION 87-2-815, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

~~Section 1.~~ Section 87-2-815, MCA, is amended to read:

~~"87-2-815. Donation of hunting licenses to disabled veterans or disabled members of the armed forces purple heart recipients.~~ (1) The holder of any hunting license issued by the department may surrender

that license and any related permit to the department for reissuance to a disabled veteran or a disabled member of the armed forces purple heart recipient for use on an expedition arranged by a nonprofit organization that is exempt from taxation under 26 U.S.C. 501(c)(3) and that uses hunting as part of the rehabilitation of disabled veterans and disabled members of the armed forces purple heart recipients. The person surrendering the license:

(a) is not eligible for a refund for the cost of the surrendered license;

(b) may not designate to which organization, disabled veteran, or disabled member of the armed forces or purple heart recipient the license is being surrendered; and

(c) shall surrender the donated license and any related permit before the start of any season for which the license and permit are valid.

(2) In order to obtain a license and any related permit pursuant to this section, a veteran or a member of the armed forces:

(a) must be a purple heart recipient;

(b) must, as the result of wounds or injuries received in a combat zone, be medically retired, have a 70% or greater disability rating by the United States department of veterans affairs or department of defense, or have active duty status while receiving medical treatment at a medical facility;

(c)(a) is not required to be a resident;

(d)(b) does not have to first obtain a wildlife conservation license; and

(e)(c) is not required to pay any fee.



1 ~~———(3) A license and any related permit reissued pursuant to this section entitles the disabled veteran or~~
 2 ~~disabled member of the armed forces purple heart recipient to take the same species in the same administrative~~
 3 ~~region or regions, hunting district or districts, or portions thereof, as allowed by the license and any related permit~~
 4 ~~that was surrendered.~~

5 ~~———(4) Any license or permit surrendered or reissued pursuant to this section may not be sold, traded,~~
 6 ~~auctioned, or offered for any monetary value and may not be used by any person other than a disabled veteran~~
 7 ~~or disabled member of the armed forces purple heart recipient who meets the requirements of subsection (2).~~

8 ~~———(5) The restrictions in 87-2-702(3) and (4) do not apply to a disabled veteran or a disabled member of~~
 9 ~~the armed forces purple heart recipient who obtains a license pursuant to this section.~~

10 ~~———(6) The department may adopt rules to implement the provisions of this section."~~

11

12 **SECTION 1. SECTION 87-2-815, MCA, IS AMENDED TO READ:**

13 **"87-2-815. Donation of hunting licenses to disabled veterans or disabled members of the armed**

14 **forces.** (1) The holder of any hunting license issued by the department may surrender that license and any
 15 related permit to the department for reissuance to a disabled veteran or a disabled member of the armed forces
 16 for use on an expedition arranged by a nonprofit organization that is exempt from taxation under 26 U.S.C.
 17 501(c)(3) and that uses hunting as part of the rehabilitation of disabled veterans and disabled members of the
 18 armed forces. The person surrendering the license:

19 (a) is not eligible for a refund for the cost of the surrendered license;

20 (b) may not designate to which organization, disabled veteran, or disabled member of the armed forces
 21 the license is being surrendered; and

22 (c) shall surrender the donated license and any related permit before the start of any season for which
 23 the license and permit are valid.

24 (2) In order to obtain a license and any related permit pursuant to this section, a veteran or a member
 25 of the armed forces:

26 (a) must be a purple heart recipient;

27 (b) must, as the result of wounds or injuries received in a combat zone, be medically retired, have a 70%
 28 or greater disability rating by the United States department of veterans affairs or department of defense, or have
 29 active duty status ~~while receiving medical treatment at a medical facility~~;

30 (c) is not required to be a resident;

1 (d) does not have to first obtain a wildlife conservation license; and

2 (e) is not required to pay any fee.

3 (3) A license and any related permit reissued pursuant to this section entitles the disabled veteran or
4 disabled member of the armed forces to take the same species in the same administrative region or regions,
5 hunting district or districts, or portions thereof, as allowed by the license and any related permit that was
6 surrendered.

7 (4) Any license or permit surrendered or reissued pursuant to this section may not be sold, traded,
8 auctioned, or offered for any monetary value and may not be used by any person other than a disabled veteran
9 or disabled member of the armed forces who meets the requirements of subsection (2).

10 (5) The restrictions in 87-2-702(3) and (4) do not apply to a disabled veteran or a disabled member of
11 the armed forces who obtains a license pursuant to this section.

12 (6) The department may adopt rules to implement the provisions of this section."
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14 NEW SECTION. **Section 2. Effective date.** [This act] is effective March 1, 2020.

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