HOUSE BILL NO. 522
INTRODUCED BY D. HARVEY

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING QUALIFICATIONS FOR A NONRESIDENT RELATIVE OF A RESIDENT TO OBTAIN HUNTING AND FISHING LICENSES AT A DISCOUNT; AMENDING SECTION 87-2-514, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

Section 1. Section 87-2-514, MCA, is amended to read:

"87-2-514. (Temporary) Nonresident relative of resident allowed to purchase nonresident licenses at reduced cost -- definitions. (1) For the purposes of this section, the following definitions apply:

(a) "Nonresident relative of a resident" means a person born in Montana who is the natural or adoptive child, sibling, or parent of a resident but is not a resident.

(b) "Resident" means a resident as defined in 87-2-102 or a deceased individual who was a resident at the time of that individual's death.

(2) Except as otherwise provided in this chapter, a nonresident relative of a resident who meets the qualifications of subsection (5) may purchase the following at one-half the cost:

(a) a Class B nonresident fishing license;

(b) a Class B-1 nonresident upland game bird license;

(c) one of the following:

(i) a Class B-10 nonresident big game combination license;

(ii) a Class B-11 nonresident deer combination license; or

(iii) a nonresident elk-only combination license;

(d) if available:

(i) a Class B-8 nonresident deer B tag;

(ii) a Class B-12 nonresident antlerless elk B tag license.

(3) The nonresident relative of a resident shall also purchase a nonresident wildlife conservation license as prescribed in 87-2-202, a nonresident base hunting license as prescribed in 87-2-116 if the nonresident purchases a hunting license, and a nonresident aquatic invasive species prevention pass if the nonresident
purchases a fishing license.

(4) Class B-10 and Class B-11 licenses sold pursuant to subsection (2) are not included in the limit on the number of available Class B-10 and Class B-11 licenses issued pursuant to 87-2-505 and 87-2-510. Nonresident elk-only combination licenses sold pursuant to subsection (2) are in addition to nonresident elk-only combination licenses available for sale pursuant to 87-2-511.

(5) To qualify for a license pursuant to subsection (2), a nonresident relative of a resident shall apply at any department regional office or at the department's state office in Helena and present proof of the following:

(a) a birth certificate verifying the applicant's birth in Montana or documentation that the applicant was born to parents who were residents at the time of birth;

(b) evidence that the person previously held a Montana resident hunting or fishing license or has passed a hunter safety course in Montana pursuant to 87-2-105; and

(c) proof that the applicant is a nonresident relative of a resident; and

(d) if the applicant's parent, sibling, or child who was a resident is deceased, a copy of that person's death certificate certifying that the deceased individual's residence at the time of death was in Montana.

(6) Of the fee paid for a hunting license purchased pursuant to subsection (2), 28.5% must be deposited in the account established in 87-1-290. (Terminates February 29, 2020--sec. 21(1), Ch. 387, L. 2017.)

87-2-514. (Effective March 1, 2020) Nonresident relative of resident allowed to purchase nonresident licenses at reduced cost -- definitions. (1) For the purposes of this section, the following definitions apply:

(a) "Nonresident relative of a resident" means a person born in Montana who is the natural or adoptive child, sibling, or parent of a resident but is not a resident.

(b) "Resident" means a resident as defined in 87-2-102 or a deceased individual who was a resident at the time of that individual's death.

(2) Except as otherwise provided in this chapter, a nonresident relative of a resident who meets the qualifications of subsection (5) may purchase the following at one-half the cost:

(a) a Class B nonresident fishing license;

(b) a Class B-1 nonresident upland game bird license;

(c) one of the following:

(i) a Class B-10 nonresident big game combination license;

(ii) a Class B-11 nonresident deer combination license; or
(iii) a nonresident elk-only combination license;
(d) if available:
   (i) a Class B-8 nonresident deer B tag;
   (ii) a Class B-12 nonresident antlerless elk B tag license.
(3) The nonresident relative of a resident shall also purchase a nonresident wildlife conservation license as prescribed in 87-2-202 and a nonresident base hunting license as prescribed in 87-2-116 if the nonresident relative of a resident purchases a hunting license.
(4) Class B-10 and Class B-11 licenses sold pursuant to subsection (2) are not included in the limit on the number of available Class B-10 and Class B-11 licenses issued pursuant to 87-2-505 and 87-2-510. Nonresident elk-only combination licenses sold pursuant to subsection (2) are in addition to nonresident elk-only combination licenses available for sale pursuant to 87-2-511.
(5) To qualify for a license pursuant to subsection (2), a nonresident relative of a resident shall apply at any department regional office or at the department's state office in Helena and present proof of the following:
   (a) a birth certificate verifying the applicant's birth in Montana or documentation that the applicant was born to parents who were residents at the time of birth;
   (b) evidence that the person previously held a Montana resident hunting or fishing license or has passed a hunter safety course in Montana pursuant to 87-2-105; and
   (c) proof that the applicant is a nonresident relative of a resident; and
   (d) if the applicant's parent, sibling, or child who was a resident is deceased, a copy of that person's death certificate certifying that the deceased individual's residence at the time of death was in Montana.
(6) Of the fee paid for a hunting license purchased pursuant to subsection (2), 28.5% must be deposited in the account established in 87-1-290."

NEW SECTION. Section 2. Effective date. [This act] is effective March 1, 2020.

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