

SENATE BILL NO. 333

INTRODUCED BY J. COHENOUR

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING REQUIREMENTS TO RETAIN EVIDENCE OF SEX OF ANIMAL HARVESTED; PROVIDING RULEMAKING AUTHORITY; AND AMENDING SECTION 87-6-406, MCA."

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

Section 1. Section 87-6-406, MCA, is amended to read:

"87-6-406. ~~Unlawful destruction of~~ Failure to retain evidence of sex. (1) ~~(a) A~~ Except as provided in subsection (1)(b) and subject to the provisions of subsection (2), a person who kills a big game animal in this state ~~may not destroy~~ shall retain evidence of the sex of the big game animal ~~so as to make the determination of the sex of the big game animal uncertain~~ with the carcass until it is processed.

(b) The provisions of subsection (1)(a) do not apply to a game animal harvested using a license with which either sex of the animal may be taken.

(2) A person who kills a game animal in a hunting district where the harvest is limited by the animal's antler point or horn size shall retain the antlers or horns with the carcass until it is processed.

(3) For game birds, game fish, and furbearers, evidence of sex and species taken must be retained as prescribed by the commission or department.

~~(2)~~(4) A person convicted of a violation of this section shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person, upon conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in 77-1-101, for recreational purposes for a period of time set by the court."

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