

1 HOUSE BILL NO. 138

2 INTRODUCED BY P. FIELDER, B. BROWN, R. FITZGERALD, S. GIST, C. HINKLE, J. HINKLE, B. LER, D.

3 LOGE, B. MITCHELL, B. TSCHIDA, S. HINEBAUCH, S. BERGLEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING WHAT CONSTITUTES A TRAPPING OR SNARING
6 OFFENSE; REVISING TAGGING REQUIREMENTS; ~~AND~~ AMENDING SECTION 87-6-601, MCA; AND
7 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:10
11 **Section 1.** Section 87-6-601, MCA, is amended to read:12 **"87-6-601. Trapping and snaring offenses.** (1) A person may not use a trap or snare trap for the
13 purpose of trapping or snaring a fur-bearing animal, a predatory animal, or a nongame species unless:14 (a) the trap or snare trap is tagged with a ~~numbered~~ metal device identifying tag bearing an individual
15 identifying number issued by the department or the owner's name, and address, and telephone number unless
16 the person is trapping or snaring on the person's land or an irrigation ditch right-of-way contiguous to the
17 person's land;18 ~~(b) the consent of the landowner has been obtained for a set on private property; and~~19 ~~(c)(b)~~ (b) the trap or snare trap is set in a manner and at a time so that it will not unduly endanger
20 livestock. A person who injures livestock in a trap or snare trap is liable for damages to the owner of the
21 livestock.22 ~~(2) A person trapping fur-bearing animals, predatory animals, or any other animals shall fasten a~~
23 ~~metal tag to all traps bearing in legible English the name and address or wildlife conservation license number of~~
24 ~~the trapper, except that a tag is not required on traps used by landowners trapping on their own land or on an~~
25 ~~irrigation ditch right-of-way contiguous to the land.~~26 ~~(3)(2)~~ (2) A holder of a ~~Class C-2 trapper's license~~ person may not use a trap or snare for the purpose of
27 trapping or snaring a fur-bearing animal, a predatory animals animal, or a nongame wildlife species on private
28 property without obtaining ~~written~~ permission from the landowner, the lessee, or their agents.

