

## 1 HOUSE BILL NO. 501

2 INTRODUCED BY J. TREBAS

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CRIMINAL LAWS RELATED TO TRESPASS;  
5 PROVIDING THAT FAILURE TO WEAR A FACE COVERING OR CARRY PROOF OF VACCINATION MAY  
6 NOT BE CONSIDERED IN THE CRIME OF CRIMINAL TRESPASS; AND AMENDING SECTION 45-6-203,  
7 MCA."

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

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11 **Section 1.** Section 45-6-203, MCA, is amended to read:

12 **"45-6-203. Criminal trespass to property.** (1) Except as provided in subsection (4), 15-7-139, 70-16-  
13 111, and 76-13-116, a person commits the offense of criminal trespass to property if the person knowingly:

- 14 (a) enters or remains unlawfully in an occupied structure; or  
15 (b) enters or remains unlawfully in or upon the premises of another.

16 (2) A person convicted of the offense of criminal trespass to property shall be fined not to exceed  
17 \$500 or be imprisoned in the county jail for any term not to exceed 6 months, or both.

18 (3) A person convicted of or who forfeits bond or bail for committing an act of criminal trespass  
19 involving property owned or administered by the department of fish, wildlife, and parks or while hunting, fishing,  
20 or trapping may be subject to revocation of the person's privilege to hunt, fish, or trap in this state for up to 24  
21 months from the date of conviction or forfeiture.

22 (4) It does not constitute criminal trespass when a person who lacks proof of vaccination or  
23 vaccination status or fails to wear a specific medical device, such as masks or other facial coverings, enters or  
24 remains in a PUBLIC place PAID FOR IN WHOLE OR IN PART WITH TAXPAYER FUNDS where proof of vaccination or use  
25 of medical devices, such as masks or other facial coverings, is required."

26 - END -