

1 HOUSE BILL NO. 504

2 INTRODUCED BY C. KNUDSEN, M. BLASDEL, J. ELLSWORTH, W. GALT, J. SCHILLINGER, B. TSCHIDA

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO FIREARMS,
5 WEAPONS, AND ACCESSORIES; PROVIDING THAT DURING A DECLARED EMERGENCY THE STATE
6 MAY NOT CONFISCATE, PROHIBIT, OR REGULATE FIREARMS, COMPONENTS, ACCESSORIES, OR
7 OTHER WEAPONS; PROVIDING BUSINESSES RELATED TO FIREARMS OR WEAPONS MAY NOT BE
8 RESTRICTED; PROVIDING EXCEPTIONS; AMENDING SECTION 10-3-114, MCA; AND PROVIDING AN
9 IMMEDIATE EFFECTIVE DATE."

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

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13 **Section 1.** Section 10-3-114, MCA, is amended to read:

14 **"10-3-114. Confiscation of firearm and certain actions by government prohibited -- private right**
15 **of action -- costs and expenses.** (1) Following a declaration of an emergency or disaster pursuant to this
16 chapter, a peace officer or other person acting or purporting to act on behalf of the state or a political
17 subdivision of the state may not take a confiscation action or:

18 (a) prohibit, regulate, or curtail the otherwise lawful possession, carrying, sale, transportation,
19 transfer, defensive use, or other lawful use of any:

20 (i) firearm, including any component or accessory;

21 (ii) ammunition, including any component or accessory;

22 (iii) ammunition-reloading equipment and supplies; or

23 (iv) personal weapons other than firearms;

24 (b) seize, commandeer, or confiscate in any manner, any:

25 (i) firearm, including any component or accessory;

26 (ii) ammunition, including any component or accessory;

27 (iii) ammunition-reloading equipment and supplies; or

28 (iv) personal weapons other than firearms;

