

1 SENATE BILL NO. 105

2 INTRODUCED BY J. COHENOUR

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING REVOCATION OF HUNTING, FISHING, AND
 5 TRAPPING PRIVILEGES FOR ACTS OF CRIMINAL TRESPASS COMMITTED WHILE COLLECTING OR
 6 ATTEMPTING TO COLLECT ANTLERS, ANTLER SHEDS, AND ANIMAL HORNS; AMENDING SECTION 45-
 7 6-203, MCA; AND PROVIDING AN APPLICABILITY DATE."

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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 15-7-139, 70-16-111, and 76-
 13 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, or collecting or attempting to collect antlers, antler sheds, or animal horns~~ may be subject to
 21 revocation of the person's privilege to hunt, fish, or trap in this state for up to 24 months from the date of
 22 conviction or forfeiture IF:

23 (A) THE TRESPASS OCCURS ON PROPERTY OWNED OR ADMINISTERED BY THE DEPARTMENT OF FISH, WILDLIFE,
 24 AND PARKS; OR

25 (B) THE TRESPASS ON ANY PROPERTY OCCURS WHILE THE PERSON IS HUNTING, FISHING, TRAPPING, OR
 26 COLLECTING OR ATTEMPTING TO COLLECT ANTLERS, ANTLER SHEDS, OR ANIMAL HORNS."

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28 NEW SECTION. Section 2. Applicability. [This act] applies to violations charged on or after [the

1 effective date of this act].

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