

SENATE BILL NO. 2

INTRODUCED BY J. COHENOUR

BY REQUEST OF THE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE DISSEMINATION OF INFORMATION RELATED TO FISH AND WILDLIFE; REQUIRING NOTICE OF PENALTIES FOR MISUSE; AND AMENDING SECTION 87-6-222, MCA."

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

Section 1. Section 87-6-222, MCA, is amended to read:

"87-6-222. Fish and wildlife location data -- penalties. (1) Upon request, the department shall release location data related to fish and wildlife for the smallest geographic area possible to prevent the unreasonable depletion and degradation of fish and wildlife as natural resources pursuant to Article IX, section 1, of the Montana constitution.

(2) To fulfill a request for information at a smaller area than provided in subsection (1) the department shall provide information:

(a) about protecting fish and wildlife resources from unreasonable depletion and degradation;

(b) about the restrictions and penalties provided for by this section; and

(c) the department determines could help the requestor comply with the requirements of this section.

(3) Unless specifically authorized by the department, a person who obtains exact coordinate location data from the department may not use the data or transfer the data to another person to use in a way that harms, harasses, or kills fish or wildlife. A person who uses, transfers, or receives exact coordinate location data in 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.

~~(2)~~(4) Upon conviction or forfeiture of bond or bail, the person 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

1 court.

2 ~~(3)~~(5) A person convicted under this section may be subject to the additional penalties provided in 87-
3 6-901 through 87-6-903.

4 ~~(4)~~(6) A violation of this section may also result in an order to pay restitution pursuant to 87-6-905
5 through 87-6-907."

6 - END -