

1 HOUSE BILL NO. 243

2 INTRODUCED BY M. MARLER, . DURAM

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING HUNTER AND BOWHUNTER SAFETY AND
5 EDUCATION COURSE PARTICIPANTS TO COMPLETE FIELD DAYS; ~~AND~~ AMENDING SECTION 87-2-105,
6 MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

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10 **Section 1.** Section 87-2-105, MCA, is amended to read:

11 **"87-2-105. Hunter safety and education required.** (1) Except for a youth who qualifies for a license
12 pursuant to 87-2-805(4) or a person who has been issued an apprentice hunting certificate pursuant to 87-2-
13 810, a hunting license may not be issued to a person born after January 1, 1985, unless the person authorized
14 to issue the license determines proof of completion of:

- 15 (a) a Montana hunter safety and education course established in subsection (4) or (6);
- 16 (b) a hunter safety course in any other state or province; or
- 17 (c) a Montana hunter safety and education course that qualifies the person for a provisional
18 certificate as provided in 87-2-126.

19 (2) A hunting license may not be issued to a member of the regular armed forces of the United
20 States or to a member of the armed forces of a foreign government attached to the armed forces of the United
21 States who is assigned to active duty in Montana and who is otherwise considered a resident under 87-2-
22 102(1) or to a member's spouse or dependent, as defined in 87-2-102, who resides in the member's household,
23 unless the person authorized to issue the license determines proof of completion of a hunter safety and
24 education course approved by the department or a hunter safety course in any state or province.

25 (3) A bow and arrow license may not be issued to a resident or nonresident unless the person
26 authorized to issue the license receives an archery license issued for a prior hunting season or determines
27 proof of completion of a bowhunter education course from the national bowhunter education foundation or any
28 other bowhunter education program approved by the department. Neither the department nor the license agent

1 is required to provide records of past archery license purchases. As part of the department's bow and arrow
2 licensing procedures, the department shall notify the public regarding bowhunter education requirements.

3 (4) The department shall provide for a hunter safety and education course that includes instruction
4 in the safe handling of firearms and for that purpose may cooperate with any reputable organization having as
5 one of its objectives the promotion of hunter safety and education. A hunter safety and education course must
6 include an in-person field day that includes firearm safety training. The department may designate as an
7 instructor any person it finds to be competent to give instructions in hunter safety and education, including the
8 handling of firearms. A person appointed shall give the course of instruction and shall issue a certificate of
9 completion from Montana's hunter safety and education course to a person successfully completing the course.

10 (5) The department shall provide for a course of instruction from the national bowhunter education
11 foundation or any other bowhunter education program approved by the department and for that purpose may
12 cooperate with any reputable organization having as one of its objectives the promotion of safety in the
13 handling of bow hunting tackle. A bowhunter safety and education course must include an in-person field day
14 for any person born after January 1, 1985. The department may designate as an instructor any person it finds
15 to be competent to give bowhunter education instruction. A person appointed shall give the course of instruction
16 and shall issue a certificate of completion to a person successfully completing the course.

17 (6) The department may develop an adult hunter safety and education course. An adult hunter
18 safety and education course must include an in-person field day that includes firearm safety training.

19 (7) The department may adopt rules regarding how a person authorized to issue a license
20 determines proof of completion of a required course."

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22 **NEW SECTION. Section 2. Effective date.** [This act] is effective January 1, 2024.

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