

1 HOUSE BILL NO. 243

2 INTRODUCED BY M. MARLER, N. DURAM

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING HUNTER AND BOWHUNTER SAFETY AND
5 EDUCATION COURSE PARTICIPANTS TO COMPLETE FIELD DAYS; REQUIRING IN-PERSON COURSES;
6 ESTABLISHING REPORTING REQUIREMENTS; PROVIDING LEGISLATIVE INTENT; AND AMENDING
7 SECTION 87-2-105, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE AND A TERMINATION DATE."

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

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

12 **"87-2-105. Hunter safety and education required.** (1) Except for a youth who qualifies for a license
13 pursuant to 87-2-805(4) or a person who has been issued an apprentice hunting certificate pursuant to 87-2-
14 810, a hunting license may not be issued to a person born after January 1, ~~1985~~ 2000, unless the person
15 authorized to issue the license determines proof of completion of:

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

20 (2) A hunting license may not be issued to a member of the regular armed forces of the United
21 States or to a member of the armed forces of a foreign government attached to the armed forces of the United
22 States who is assigned to active duty in Montana and who is otherwise considered a resident under 87-2-
23 102(1) or to a member's spouse or dependent, as defined in 87-2-102, who resides in the member's household,
24 unless the person authorized to issue the license determines proof of completion of a hunter safety and
25 education course approved by the department AND SUBJECT TO SUBSECTION (8), or a hunter safety course in any
26 state or province.

27 (3) A bow and arrow license may not be issued to a resident or nonresident unless the person
28 authorized to issue the license receives an archery license issued for a prior hunting season or determines

1 proof of completion of a bowhunter education course from the national bowhunter education foundation or any
2 other bowhunter education program approved by the department AND SUBJECT TO SUBSECTION (8). Neither the
3 department nor the license agent is required to provide records of past archery license purchases. As part of
4 the department's bow and arrow licensing procedures, the department shall notify the public regarding
5 bowhunter education requirements.

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

14 (5) The department shall provide for a course of instruction from the national bowhunter education
15 foundation or any other bowhunter education program approved by the department and for that purpose may
16 cooperate with any reputable organization having as one of its objectives the promotion of safety in the
17 handling of bow hunting tackle. A bowhunter safety and education course must include an in-person field day
18 for any person born after January 1, 1985 2000. The department may designate as an instructor any person it
19 finds to be competent to give bowhunter education instruction. A person appointed shall give the course of
20 instruction and shall issue a certificate of completion to a person successfully completing the course.

21 (6) The department may develop an adult hunter safety and education course. An adult hunter
22 safety and education course must include an in-person field day that includes firearm safety training. THE
23 PERSON PERFORMING THE TRAINING MAY BE A VOLUNTEER WITH FIREARM SAFETY KNOWLEDGE.

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

26 (8) HUNTER SAFETY AND EDUCATION COURSES AND BOWHUNTER SAFETY AND EDUCATION COURSES
27 MUST BE CONDUCTED IN-PERSON FOR INDIVIDUALS WHO ARE UNDER 18 YEARS OF AGE."

28

