

HUNTING AND FISHING LAWS RE: PERSONS WITH DISABILITIES

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting. (5-4-105, MCA; [Chapter 309, Laws of 2017](#)) The history must include related legislation introduced over the last five sessions and hyperlinks to information about the introduced bills.

Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: For the purposes of statutes related to hunting and fishing, "disabled person", "person with a disability", or "disabled", as defined in [87-2-803, MCA](#), means a person experiencing a condition medically determined to be permanent and substantial and resulting in significant impairment of the person's functional ability. Disabled persons may purchase certain hunting and fishing licenses for half price. Disabled persons may also be issued a [permit to hunt from a vehicle](#) (PTHV) if they are certified by a licensed physician, a licensed chiropractor, a licensed physician assistant, or an advanced practice registered nurse to be nonambulatory, to have substantially impaired mobility, or to have a documented genetic condition that limits their ability to walk or carry significant weight for long distances. All conditions are further defined in 87-2-803, MCA. Criteria to obtain a PTHV were last [overhauled](#) by the 2013 Legislature.

For bow hunters, persons certified by a doctor as having a permanent lifetime disability may obtain a permit to modify their archery equipment, which allows them to use modified archery tackle that supports the bow, and draws, holds, and releases the string to accommodate the individual's disability. (Criteria to qualify for the modifications are included in the [permit application](#).) Efforts to allow crossbows to be used by disabled persons failed in the 2019, 2013, and 2009 sessions.

Other Materials:

[2020 application](#) for Permit to Hunt from a Vehicle, FWP

[Guidelines](#) for those obtaining a Permit to Hunt From a Vehicle, FWP

[2020 application](#) for Permit to Modify Archery Equipment, FWP

[Guidelines](#) for those obtaining a Permit to Modify Archery Equipment, FWP

Introduced Legislation

2019

[House Bill No. 275](#) -- Chapter Number Assigned -- AN ACT REVISING THE DONATION OF HUNTING LICENSES TO PURPLE HEART RECIPIENTS; AMENDING SECTION 87-2-815, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.

[Senate Bill No. 174](#) -- (S) Died in Process -- AN ACT AUTHORIZING HUNTING WITH A CROSSBOW DURING ARCHERY SEASON OR REGULAR HUNTING SEASONS BY A PERSON CERTIFIED AS DISABLED OR OVER AGE 70; PROVIDING THE BOARD OF MEDICAL EXAMINERS WITH THE AUTHORITY TO REVIEW CERTIFICATIONS TO USE A CROSSBOW; PROVIDING QUALIFYING REQUIREMENTS FOR CROSSBOW HUNTING; REQUIRING AN ANNUAL REPORT TO THE ENVIRONMENTAL QUALITY COUNCIL; AMENDING SECTIONS 37-3-203, 87-2-803, AND 87-2-817, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE.

2017

[House Bill No. 596](#) -- (H) Died in Standing Committee -- AN ACT REVISING LAWS RELATED TO PRIVILEGES AND BENEFITS FOR CERTAIN VETERANS; REVISING PROPERTY TAX ASSISTANCE, MOTOR VEHICLE REGISTRATION, AND HUNTING AND FISHING LICENSE PROVISIONS APPLICABLE TO CERTAIN VETERANS; AND AMENDING SECTIONS 15-6-301, 61-3-460, 87-2-815, AND 87-2-816, MCA.

2015

[House Bill No. 140](#) -- Chapter Number Assigned - AN ACT REVISING LAWS RELATED TO HUNTING AND FISHING LICENSES; REQUIRING AN ADDITIONAL BUDGET REVIEW AND REPORT TO THE LEGISLATURE; CREATING A BASE HUNTING LICENSE; REORGANIZING AND RECODIFYING CERTAIN LICENSE STATUTES; CLARIFYING THE PRICE OF A CLASS B-12 NONRESIDENT ANTLERLESS ELK B TAG LICENSE; INCREASING FISHING LICENSE FEES; ELIMINATING FREE LICENSES FOR CERTAIN YOUTH, SENIOR, DISABLED, AND NONRESIDENT HUNTERS AND ANGLERS AND STANDARDIZING DISCOUNTED LICENSE PRICES; CLARIFYING THE FEES FOR CLASS B-10 NONRESIDENT BIG GAME COMBINATION LICENSES AND CLASS B-11 NONRESIDENT DEER COMBINATION LICENSES; EQUALIZING LICENSES AVAILABLE TO AND FEES FOR NONRESIDENT RELATIVES OF RESIDENTS AND NONRESIDENTS WHO HUNT WITH A RESIDENT SPONSOR OR FAMILY MEMBER; INCREASING THE CLASS B-14 NONRESIDENT COLLEGE STUDENT BIG GAME COMBINATION LICENSE FEE; INCREASING NONRESIDENT MOOSE, MOUNTAIN GOAT, MOUNTAIN SHEEP, AND BISON LICENSE FEES; AUTHORIZING FREE FISHING FOR ALL YOUTH UNDER AGE 12; REDUCING LICENSE AGE BRACKETS FOR YOUTH; REVISING DISTRIBUTION OF HUNTING LICENSE REVENUE FOR HUNTING ACCESS PROGRAMS; CREATING AN APPRENTICE HUNTING CERTIFICATE FOR YOUTH BETWEEN 10 AND 18 YEARS OF AGE AND PROVIDING QUALIFYING CONDITIONS; AMENDING SECTIONS 61-8-369, 87-1-270, 87-1-290, 87-2-104, 87-2-105, 87-2-202, 87-2-301, 87-2-302, 87-2-304, 87-2-306, 87-2-307, 87-2-403, 87-2-404, 87-2-505, 87-2-506, 87-2-510, 87-2-511, 87-2-514, 87-2-520, 87-2-522, 87-2-525, 87-2-526, 87-2-701, 87-2-706, 87-2-711, 87-2-801, 87-2-803, 87-2-805, 87-6-301, 87-6-403, 87-6-405, AND 87-6-921, MCA; REPEALING SECTIONS 87-2-515 AND 87-2-809, MCA; AND PROVIDING EFFECTIVE DATES.

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[House Bill No. 221](#) -- Chapter Number Assigned -- AN ACT ALLOWING CERTAIN INJURED LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS TO FISH WITH A WILDLIFE CONSERVATION LICENSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

2013

[House Bill No. 407](#) – (H) Died in Standing Committee - AN ACT ALLOWING THE USE OF A CROSSBOW BY A DISABLED PERSON DURING ANY HUNTING SEASON; AMENDING SECTION 87-1-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 179](#) – Chapter Number Assigned - AN ACT ALLOWING DISABLED MEMBERS OF THE ARMED FORCES TO QUALIFY FOR CERTAIN HUNTING LICENSES; AND AMENDING SECTION 87-2-803, MCA.

[Senate Bill No. 75](#) – Chapter Number Assigned - AN ACT AUTHORIZING THE DONATION OF HUNTING LICENSES TO DISABLED VETERANS AND DISABLED MEMBERS OF THE ARMED FORCES; GRANTING RULEMAKING AUTHORITY; EXEMPTING DONATED LICENSES FROM CERTAIN LIMITATIONS ON ISSUANCE; AMENDING SECTION 87-2-702, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 101](#) – Chapter Number Assigned - AN ACT REVISING THE QUALIFICATIONS TO OBTAIN A PERMIT TO HUNT FROM A VEHICLE; AMENDING SECTION 87-2-803, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.

2009

[House Bill No. 172](#) – Chapter Number Assigned - AN ACT CREATING A PROVISIONAL HUNTER SAFETY AND EDUCATION CERTIFICATE FOR PERSONS WITH CERTAIN DEVELOPMENTAL DISABILITIES; ESTABLISHING CONDITIONS OF LICENSURE FOR PERSONS WHO USE A PROVISIONAL CERTIFICATE WHEN OBTAINING A HUNTING LICENSE; AMENDING SECTION 87-2-105, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.

[House Bill No. 434](#) – (H) Died in Standing Committee - AN ACT PROVIDING THAT CERTAIN DISABLED PERSONS WITH CERTIFIED REDUCED MUSCLE STRENGTH MAY HUNT DURING GENERAL ARCHERY SEASON WITH A CROSSBOW; AMENDING SECTION 87-2-803, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.

[Senate Bill No. 32](#) – Chapter Number Assigned - AN ACT PROVIDING THAT CERTIFICATION OF A PERSON AS DISABLED FOR PURPOSES OF OBTAINING A PERMIT TO HUNT FROM A VEHICLE MAY BE ENDORSED BY A LICENSED CHIROPRACTOR IN ADDITION TO CERTAIN OTHER MEDICAL CARE PROVIDERS; AMENDING SECTION 87-2-803, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Prepared by Hope Stockwell, research analyst, 9/23/20.