

## TRAPPING

### 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 the bill, hearing information, and fiscal notes.

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

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### Background Materials and Research

**Topic Summary:** Legislation in the last five sessions related to trapping varied from requiring mandatory trapper education to what kinds of animals may be trapped and by whom to protecting the right to trap in the Montana Constitution.

[Mandatory trapper education proposals](#) date back to 2005 but were not approved. For the 2021 session, the Environmental Quality Council [proposed](#) making trapper education mandatory for certain residents.

### Other Materials:

- [Trapping and Furbearer Management in Montana](#): this FWP web page includes links to information about best management practices by species, statewide furbearer harvest and management reports, regulations, [trapping ethics](#), species identification, and the [Montana Trapper Education Program](#).
- [National Trapper's Association Trapping Handbook](#)
- [Cover sheet](#) from the Fish and Wildlife Commission's August 2017 proposal for furbearer and trapping regulations, seasons, and quotas, including a proposal for mandatory trapper education. A [summary of public comments](#) received on that proposal is also available. The Commission put the proposal on hold in March 2018.

## Introduced Legislation

### 2019

[House Bill No. 517](#) -- (H) Died in Process -- AN ACT REVISING LAWS RELATED TO TRAPPER EDUCATION; ESTABLISHING COURSE STANDARDS AND INSTRUCTOR CERTIFICATION; ESTABLISHING A TRAPPER EDUCATION ADVISORY COUNCIL; PROVIDING RULEMAKING AUTHORITY; AND AMENDING SECTION 87-2-102, MCA.

[House Bill No. 279](#) -- Died in Process -- AN ACT ALLOWING FOR THE REIMBURSEMENT OF COSTS INCURRED WHILE HARVESTING WOLVES; ALLOWING REIMBURSEMENTS TO ETHICAL TRAPPERS; AND AMENDING SECTION 87-6-214, MCA.

[House Bill No. 287](#) -- Died in Process -- AN ACT ESTABLISHING MANDATORY TRAP AND SNARE CHECK REQUIREMENTS; PROVIDING AN EXCEPTION; AND AMENDING SECTION 87-6-601, MCA.

[House Bill No. 517](#) -- Died in Process -- AN ACT REVISING LAWS RELATED TO TRAPPER EDUCATION; ESTABLISHING COURSE STANDARDS AND INSTRUCTOR CERTIFICATION; ESTABLISHING A TRAPPER EDUCATION ADVISORY COUNCIL; PROVIDING RULEMAKING AUTHORITY; AND AMENDING SECTION 87-2-102, MCA.

[House Bill No. 552](#) -- Died in Process -- AN ACT REVISING LAWS RELATED TO TRAPPING SETBACKS; REVISING CERTAIN SETBACKS FOR TRAPPING ON PUBLIC LANDS; PROVIDING RULEMAKING AUTHORITY; PROVIDING PENALTIES; AMENDING SECTION SECTIONS 87-1-301 AND 87-6-601, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 185](#) -- (S) Died in Standing Committee -- AN ACT PROHIBITING THE HUNTING AND TRAPPING OF WOLVES IN CERTAIN HUNTING DISTRICTS; AMENDING SECTIONS 87-1-304 AND 87-1-901, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

### 2017

[Senate Bill No. 236](#) -- Died in Process -- AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IX, SECTION 7, OF THE MONTANA CONSTITUTION RECOGNIZING THAT THE RIGHT TO HUNT, FISH, AND TRAP TO HARVEST FISH AND WILDLIFE IS ESSENTIAL TO PURSUING LIFE'S BASIC NECESSITIES; ESTABLISHING THAT PUBLIC HUNTING, FISHING, AND TRAPPING ARE THE PREFERRED MEANS OF CONTROLLING AND HARVESTING FISH AND WILDLIFE; ALLOWING STATUTES THAT SEEK SCIENTIFIC WILDLIFE MANAGEMENT AND CONSERVATION, SAFEGUARD CURRENT LAWFUL MEANS AND METHODS OF HUNTING, FISHING, AND TRAPPING, AND PROTECT PERSONS AND PROPERTY FROM HARM CAUSED BY FISH OR WILDLIFE TO PROTECT THE RIGHTS OF MONTANA CITIZENS TO HUNT, FISH, TRAP, AND HARVEST WILD FISH AND WILDLIFE; ESTABLISHING THAT HUNTING, FISHING, AND TRAPPING IS THE PREFERRED MANNER OF MANAGING WILD FISH AND WILDLIFE; ALLOWING FOR NECESSARY AND PROPER MANAGEMENT AND CONSERVATION STATUTES AND REGULATIONS; MAINTAINING THAT THIS RIGHT DOES NOT CREATE A RIGHT TO TRESPASS ON PRIVATE PROPERTY OR DIMINUTION OF OTHER PRIVATE RIGHTS; AND PROVIDING AN EFFECTIVE DATE.

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### 2015

[House Bill No. 212](#) -- Chapter Number Assigned -- AN ACT CLARIFYING THE TYPES OF FISH AND GAME HARVEST PROTECTED UNDER THE MONTANA CONSTITUTION; PROVIDING LEGISLATIVE INTENT; REVISING DEFINITIONS; AND AMENDING SECTIONS 87-2-101 AND 87-6-101, MCA.

### 2013

[House Bill No. 29](#) -- (H) Died in Standing Committee -- AN ACT AUTHORIZING THE TRAPPING OF MOUNTAIN LIONS BY RESIDENTS; GRANTING RULEMAKING AUTHORITY; AND AMENDING SECTIONS 87-2-508 AND 87-6-401, MCA.

[House Bill No. 324](#) -- Died in Process -- AN ACT AUTHORIZING A NONRESIDENT TRAPPER TO TRAP FUR-BEARING ANIMALS AND TO HUNT BOBCAT; AMENDING SECTION SECTIONS 87-2-603 AND 87-6-404, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 204](#) -- (S) Died in Standing Committee -- AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE III, SECTION 4, OF THE MONTANA CONSTITUTION PROHIBITING THE ENACTMENT OF LAWS GOVERNING HUNTING, FISHING, OR TRAPPING BY BALLOT INITIATIVE; AND PROVIDING AN EFFECTIVE DATE.

### 2011

[House Bill No. 475](#) -- (S) Died in Process - AN ACT REQUIRING THE SUCCESSFUL COMPLETION OF A TRAPPER SAFETY AND EDUCATION COURSE AS A PREREQUISITE TO THE ISSUANCE OF A CLASS C RESIDENT TRAPPING LICENSE; PROVIDING AN EXCEPTION; AMENDING SECTIONS 87-2-102 AND 87-2-105, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.

Prepared by Hope Stockwell, research analyst, 9/22/20