

**Amendment - 2nd Reading-yellow - Requested by: Joshua Seckinger - (H) Committee of the Whole**

- 2025

69th Legislature 2025

Drafter: Maxwell Parson,

HB0762.002.001

HOUSE BILL NO. 762

INTRODUCED BY J. SECKINGER, W. GALT, L. MUSZKIEWICZ, J. ISALY, E. ALBUS, E. BYRNE, R. GREGG, D. POWERS, M. THIEL, S. ROSENZWEIG, D. EMRICH, S. GIST, E. MATTHEWS, G. LAMMERS, B. LER, K. WALSH, R. MINER, G. OBLANDER, E. BOLDMAN, J. COHENOUR, P. FLOWERS, T. FRANCE, K. SULLIVAN, S. MANESS, M. MARLER, T. TEZAK, S. DEMAROIS, C. FITZPATRICK

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO PUBLISH A BIENNIAL RIVER-USE REPORT; ALLOWING FUNDS IN THE STATE PARK ACCOUNT TO BE USED FOR THE RIVER-USE REPORT; AMENDING ~~SECTION~~ SECTIONS 23-1-105 AND 87-1-201, MCA; PROVIDING AN APPROPRIATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

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

**SECTION 1. SECTION 23-1-105, MCA, IS AMENDED TO READ:**

**"23-1-105. Fees and charges -- use of motor vehicle registration fee.** (1) (a) The department may levy and collect reasonable fees or other charges for the use of privileges and conveniences that may be provided and to grant concessions that it considers advisable, except as provided in subsections (2) and (6).

(b) There must be deposited into a state special revenue fund in the state treasury to the credit of the department:

(i) all money derived from the activities of the department, except as provided in subsection (5);  
and

(ii) money from marijuana taxes deposited under 16-12-111.

(2) Overnight camping fees established by the department under subsection (1) must be discounted 50% for a campsite rented by a person who is a resident of Montana, as defined in 87-2-102, and is:

(a) 62 years of age or older;

(b) certified as disabled in accordance with rules adopted by the department; or

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(c) a veteran of the armed forces. While camping at a discounted rate, the veteran shall carry proof of the person's veteran status, such as a DD form 214, U.S. department of veterans affairs identification card, or a driver's license indicating the person's veteran status.

(3) For a violation of any fee collection rule involving a vehicle, the registered owner of the vehicle at the time of the violation is personally responsible if an adult is not in the vehicle at the time the violation is discovered by an authorized officer. A defense that the vehicle was driven into the fee area by another person is not allowable unless it is shown that at that time, the vehicle was being used without the consent of the registered owner.

(4) Money received from the collection of fees and charges is subject to the deposit requirements of 17-6-105(6) unless the department has submitted and received approval for a modified deposit schedule pursuant to 17-6-105(8).

(5) There is a fund of the enterprise fund type, as defined in 17-2-102(2)(a), for the purpose of managing state park visitor services revenue. The fund is to be used by the department to serve the recreating public by providing for the obtaining of inventory through purchase, production, or donation and for the sale of educational, commemorative, and interpretive merchandise and other related goods and services at department sites and facilities ~~and the river use report established in 87-1-201(15)~~. The fund consists of money from the sale of educational, commemorative, and interpretive merchandise and other related goods and services and from donations. Gross revenue from the sale of educational, commemorative, and interpretive merchandise and other related goods and services must be deposited in the fund. All interest and earnings on money deposited in the fund must be credited to the fund for use as provided in this subsection.

(6) In recognition of the fact that individuals support state parks through the payment of certain motor vehicle registration fees, persons who pay the fee provided for in 61-3-321(19)(a) may not be required to pay a day-use fee for access to state parks. Other fees for the use of state parks and fishing access sites, such as overnight camping fees, are still chargeable and may be collected by the department.

(7) Any increase in the motor vehicle registration fee collected pursuant to 61-3-321(19)(a) on or after January 1, 2012, that is dedicated to state parks must be used by the department for maintenance and operation of state parks ~~and the river-use report established in 87-1-201(15)~~."