

HOUSE BILL NO. 661

INTRODUCED BY D. POWERS, J. ISALY, J. SECKINGER, S. FYANT, J. WEBER, M. CUNNINGHAM, J.

MORIGEAU, P. FLOWERS, C. FITZPATRICK, V. MOORE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE UNLAWFUL HARASSMENT OF WILD ANIMALS; AND AMENDING SECTION 87-6-107, MCA."

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

Section 1. Section 87-6-107, MCA, is amended to read:

"87-6-107. Unlawful harassment of ~~game animals and game birds~~ wild animals with vehicle or device. (1) (a) A person may not concentrate, drive, rally, stir up, run, molest, flush, herd, chase, harass, or impede the movement of or attempt to concentrate, drive, rally, stir up, run, molest, flush, herd, chase, harass, or impede the movement of a ~~game animal or game bird~~ wild animal, except alternative livestock, from or with the use or aid of a self-propelled, motor-driven, or drawn vehicle or device, including aircraft and snowmobiles.

This section

(b) Subsection (1)(a) does not apply to:

(i) landowners and their authorized agents engaged in the immediate protection of that landowner's property; and

(ii) livestock owners and their authorized agents engaged in the immediate protection of that livestock owner's property.

(2) The following penalties apply for a violation of this section:

(a) A person convicted of or who forfeits bond or bail after being charged with a violation of this section shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, and trap in this state or to use state lands, as defined in 77-1-101, for recreational purposes for a period of time set by the court.

(b) A person convicted of or who forfeits bond or bail after being charged with a second or

Amendment - 1st Reading-white - Requested by: Jamie Isaly - (H) Fish, Wildlife and Parks

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Drafter: Maxwell Parson,

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1 subsequent violation of this section within 5 years shall be fined not less than \$500 or more than \$1,000 or be
2 imprisoned for not more than 6 months, or both. In addition, the person shall forfeit any current hunting, fishing,
3 or trapping license issued by this state and the privilege to hunt, fish, and trap in this state for 24 months from
4 the date of conviction or forfeiture of bond or bail unless the court imposes a longer period."

5 - END -