Amendment - 1st Reading/2nd House-blue - Requested by: Ed Byrne - (H) Fish, Wildlife and Parks

- 2025

69th Legislature 2025 Drafter: Maxwell Parson, SB0106.001.004

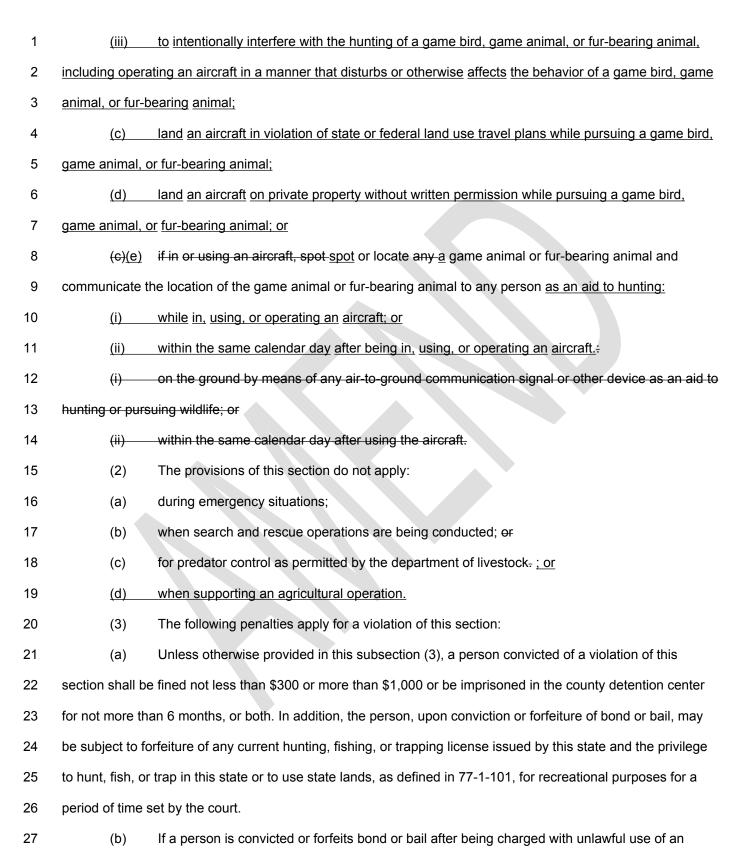
1	SENATE BILL NO. 106
2	INTRODUCED BY D. LOGE, W. MCKAMEY, J. HINKLE
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE USE OF AIRCRAFT WHILE
5	HUNTING; AND AMENDING SECTIONS 87-3-126 AND 87-6-208, MCA."
6	
7	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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9	Section 1. Section 87-3-126, MCA, is amended to read:
10	"87-3-126. Use of aircraft or helicopter authority to issue permits and adopt rules. (1) An
11	aircraft or helicopter A manned or unmanned aircraft may be used for the purpose of herding, driving, or hazing
12	wild animals damaging private property or crops on the property in question pursuant to a permit issued by the
13	department.
14	(2) The commission shall adopt rules for the issuance of the permit. The permit may be
15	conditioned to address individual circumstances of each application for a permit.
16	(3) The Except for elk shoulder seasons, the The department may not shall issue permits except
17	during any legal general or regular hunting season for the species for which a permit was requested.
18	(4) The permitting program must comply with requirements of federal law for the activity."
19	
20	Section 2. Section 87-6-208, MCA, is amended to read:
21	"87-6-208. Unlawful use of aircraft. (1) Except as provided in 87-3-126, a person may not:
22	(a) kill, take, or shoot at any game bird, game animal, or fur-bearing animal from an aircraft;
23	(b) use an aircraft:
24	(i) to spot or locate any game animal for the purpose of hunting that animal during the same
25	calendar day; or
26	(ii) for the purpose of concentrating, pursuing, driving, rallying, or stirring up any to concentrate,
27	pursue, drive, rally, or stir up a game bird, migratory bird, game animal, or fur-bearing animal; or



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1 aircraft to kill or take a deer, elk, antelope, mountain lion, mountain sheep, moose, wild buffalo, caribou,

mountain goat, black bear, or grizzly bear, the person shall be fined not less than \$500 or more than \$2,000 or

be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person shall

forfeit any current hunting, fishing, recreational use, or trapping license issued by this state and the privilege to

hunt, fish, or trap in this state for 30 months from the date of conviction or forfeiture unless the court imposes a

longer period.

- (c) If a person is convicted or forfeits bond or bail after being charged with unlawful use of an aircraft to kill or take a fur-bearing animal, the person shall be fined not less than \$100 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 shall forfeit any current hunting, fishing, recreational use, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state for 24 months from the date of conviction or forfeiture unless the court imposes a longer period, and any pelts possessed unlawfully must be confiscated.
- (4) As used in this section, "aircraft" has the meaning provided in 87-6-101."

14 - END -

