

## 1 HOUSE BILL NO. 29

2 INTRODUCED BY T. WASHBURN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE TRAPPING OF MOUNTAIN LIONS BY  
5 RESIDENTS; GRANTING RULEMAKING AUTHORITY; AND AMENDING SECTIONS 87-2-508 AND 87-6-401,  
6 MCA."

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

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10 **Section 1.** Section 87-2-508, MCA, is amended to read:

11 **"87-2-508. Class D-2--resident mountain lion license.** Except as otherwise provided in this chapter,  
12 a person who is a resident, as defined in 87-2-102, and who is 12 years of age or older or who will turn 12 years  
13 old before or during the season for which the license is issued, upon payment of a fee of \$19, may receive a  
14 Class D-2 license that entitles a holder who is 12 years of age or older to hunt or trap a mountain lion and  
15 possess the carcass of the mountain lion as authorized by department rules. If a holder of a valid mountain lion  
16 license under this section kills a mountain lion, the licensee shall purchase a trophy license for a fee of \$50 within  
17 10 days after the date of kill. The trophy license authorizes the holder to possess and transport the trophy."

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19 **Section 2.** Section 87-6-401, MCA, is amended to read:20 **"87-6-401. Unlawful use of equipment while hunting.** (1) A person may not:

21 (a) except as allowed in 87-2-508, 87-3-127, and 87-3-128, hunt or attempt to hunt any game animal or  
22 game bird by the aid or with the use of any snare, ~~except as allowed in 87-3-127 and 87-3-128,~~ set gun, projected  
23 artificial light, trap, salt lick, or bait;

24 (b) use any recorded or electrically amplified bird or animal calls or sounds or recorded or electrically  
25 amplified imitations of bird or animal calls or sounds to assist in the hunting, taking, killing, or capturing of wildlife  
26 except predatory animals and those birds not protected by state or federal law;

27 (c) while hunting, take into a field or forest or have in the person's possession any device or mechanism  
28 devised to silence, muffle, or minimize the report of any firearm, whether the device or mechanism is operated  
29 from or attached to any firearm;

30 (d) while hunting, possess any electronic motion-tracking device or mechanism, as defined by

1 commission rule, that is designed to track the motion of a game animal and relay information on the animal's  
2 movement to the hunter. A radio-tracking collar attached to a dog that is used by a hunter engaged in lawful  
3 hunting activities is not considered a motion-tracking device or mechanism for purposes of this subsection (1)(d).

4 (e) while hunting, use archery equipment that has been prohibited by rule of the commission;

5 (f) use a shotgun to hunt deer or elk except with weapon type and loads as specified by the department;

6 (g) use a rifle to hunt or shoot upland game birds unless the use of rifles is permitted by the department.

7 This does not prohibit the shooting of wild waterfowl from blinds over decoys with a shotgun only, not larger than  
8 a number 10 gauge, fired from the shoulder.

9 (h) use a rifle to hunt or shoot wild turkey during the spring wild turkey season.

10 (2) A person convicted of a violation of this section shall be fined not less than \$50 or more than \$1,000  
11 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person, upon  
12 conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping  
13 license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in  
14 77-1-101, for recreational purposes for a period of time set by the court.

15 (3) A person convicted of hunting while using projected artificial light as described in subsection (1)(a)  
16 may be subject to the additional penalties provided in 87-6-901 and 87-6-902.

17 (4) A violation of this section may also result in an order to pay restitution pursuant to 87-6-905 through  
18 87-6-907."

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