

HOUSE BILL NO. 551

INTRODUCED BY B. BROWN

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A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE TYPES OF FIREARMS TO BE INCLUDED IN HUNTER SAFETY AND EDUCATION INSTRUCTION; AND AMENDING SECTION 87-2-105, MCA."

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

Section 1. Section 87-2-105, MCA, is amended to read:

"87-2-105. Safety instruction required. (1) Except for a youth who qualifies for a license pursuant to 87-2-805(4) or who has been issued an apprentice hunting certificate pursuant to 87-2-810, a hunting license may not be issued to a person born after January 1, 1985, unless the person authorized to issue the license determines proof of completion of:

- (a) a Montana hunter safety and education course established in subsection (4) or (6);
- (b) a hunter safety course in any other state or province; or
- (c) a Montana hunter safety and education course that qualifies the person for a provisional certificate as provided in 87-2-126.

(2) A hunting license may not be issued to a member of the regular armed forces of the United States or to a member of the armed forces of a foreign government attached to the armed forces of the United States who is assigned to active duty in Montana and who is otherwise considered a resident under 87-2-102(1) or to a member's dependents, as defined in 15-30-2115, who reside in the member's Montana household, unless the person authorized to issue the license determines proof of completion of a hunter safety course approved by the department or a hunter safety course in any state or province.

(3) A bow and arrow license may not be issued to a resident or nonresident unless the person authorized to issue the license receives an archery license issued for a prior hunting season or determines proof of completion of a bowhunter education course from the national bowhunter education foundation or any other bowhunter education program approved by the department. Neither the department nor the license agent is required to provide records of past archery license purchases. As part of the department's bow and arrow licensing procedures, the department shall notify the public regarding bowhunter education requirements.

(4) The department shall provide for a hunter safety and education course that includes instruction in

1 the safe handling of functional firearms, including but not limited to rifles, handguns, and shotguns, and for that
2 purpose may cooperate with any reputable organization having as one of its objectives the promotion of hunter
3 safety and education. The department may designate as an instructor any person it finds to be competent to give
4 instructions in hunter safety and education, including the handling of firearms. A person appointed shall give the
5 course of instruction and shall issue a certificate of completion from Montana's hunter safety and education
6 course to a person successfully completing the course.

7 (5) The department shall provide for a course of instruction from the national bowhunter education
8 foundation or any other bowhunter education program approved by the department and for that purpose may
9 cooperate with any reputable organization having as one of its objectives the promotion of safety in the handling
10 of bow hunting tackle. The department may designate as an instructor any person it finds to be competent to give
11 bowhunter education instruction. A person appointed shall give the course of instruction and shall issue a
12 certificate of completion to a person successfully completing the course.

13 (6) The department may develop an adult hunter safety and education course.

14 (7) The department may adopt rules regarding how a person authorized to issue a license determines
15 proof of completion of a required course."

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