

HOUSE BILL NO. 27

INTRODUCED BY T. WASHBURN

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A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE USE OF A SUPPRESSOR WHILE HUNTING CERTAIN LARGE PREDATORS; AMENDING SECTION 87-6-401, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 87-6-401, MCA, is amended to read:

"87-6-401. Unlawful use of equipment while hunting. (1) A person may not:

(a) hunt or attempt to hunt any game animal or 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 artificial light, trap, salt lick, or bait;

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

(c) while hunting, ~~except while hunting mountain lions or wolves~~ AFTER THE GENERAL DEER AND ELK SEASON, take into a field or forest or have in the person's possession any device or mechanism devised to silence, muffle, or minimize the report of any firearm, whether the device or mechanism is operated from or attached to any firearm;

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

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

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

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

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

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

1 (2) A person convicted of a violation of this section shall be fined not less than \$50 or more than \$1,000
2 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person, upon
3 conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping
4 license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in
5 77-1-101, for recreational purposes for a period of time set by the court.

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

8 (4) A violation of this section may also result in an order to pay restitution pursuant to 87-6-905 through
9 87-6-907."

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11 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2013.

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