



AN ACT REVISING CONCEALED WEAPONS LAWS; PROVIDING THAT THE OFFENSE OF CARRYING A CONCEALED WEAPON DOES NOT APPLY TO A PERSON WHO IS ELIGIBLE TO POSSESS A HANDGUN UNDER STATE OR FEDERAL LAW; AND AMENDING SECTION 45-8-317, MCA.

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

**Section 1.** Section 45-8-317, MCA, is amended to read:

**"45-8-317. Exceptions.** (1) Section 45-8-316 does not apply to:

- (a) any peace officer of the state of Montana or of another state who has the power to make arrests;
  - (b) any officer of the United States government authorized to carry a concealed weapon;
  - (c) a person in actual service as a member of the national guard;
  - (d) a person summoned to the aid of any of the persons named in subsections (1)(a) through (1)(c);
  - (e) a civil officer or the officer's deputy engaged in the discharge of official business;
  - (f) a probation and parole officer authorized to carry a firearm under 46-23-1002;
  - (g) a person eligible to possess a handgun under state or federal law, a person issued a permit under 45-8-321, or a person with a permit recognized under 45-8-329;
  - (h) an agent of the department of justice or a criminal investigator in a county attorney's office;
  - (i) a person who is outside the official boundaries of a city or town or the confines of a logging, lumbering, mining, or railroad camp or who is lawfully engaged in hunting, fishing, trapping, camping, hiking, backpacking, farming, ranching, or other outdoor activity in which weapons are often carried for recreation or protection;
  - (j) the carrying of arms on one's own premises or at one's home or place of business; or
  - (k) the carrying of a concealed weapon in the state capitol by a legislative security officer who has been issued a permit under 45-8-321 or with a permit recognized under 45-8-329.
- (2) With regard to a person issued a permit under 45-8-321, the provisions of 45-8-328 do not apply to this section."

- END -

I hereby certify that the within bill,  
HB 0304, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2013.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2013.

HOUSE BILL NO. 304

INTRODUCED BY KERNS, EDMUNDS, JACKSON, LEWIS, F. MOORE, PRIEST, SHAW, TAYLOR,  
THOMAS, WARBURTON, E. WALKER

AN ACT REVISING CONCEALED WEAPONS LAWS; PROVIDING THAT THE OFFENSE OF CARRYING A CONCEALED WEAPON DOES NOT APPLY TO A PERSON WHO IS ELIGIBLE TO POSSESS A HANDGUN UNDER STATE OR FEDERAL LAW; AND AMENDING SECTION 45-8-317, MCA.