

HOUSE BILL NO. 307

INTRODUCED BY B. BARKER, M. BERTOGLIO, B. MITCHELL

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE DONATION OF HUNTING LICENSES TO DISABLED VETERANS OR DISABLED MEMBERS OF THE ARMED FORCES; ALLOWING THE DONATION TO BE DESIGNATED TO CERTAIN ORGANIZATIONS; RESTRICTING ELIGIBILITY FOR A DONATED LICENSE; AND AMENDING SECTION 87-2-815, MCA."

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

Section 1. Section 87-2-815, MCA, is amended to read:

"87-2-815. Donation of hunting licenses to disabled veterans or disabled members of the armed forces. (1) The holder of any hunting license issued by the department may surrender that license and any related permit to the department for reissuance to a disabled veteran or a disabled member of the armed forces for use on an expedition arranged by a nonprofit organization that is exempt from taxation under 26 U.S.C. 501(c)(3) and that uses hunting as part of the rehabilitation of disabled veterans and disabled members of the armed forces. The person surrendering the license:

(a) is not eligible for a refund for the cost of the surrendered license;

(b) may ~~not~~ designate to which organization, the donation is being made but may not designate to which disabled veteran, or disabled member of the armed forces the license is being surrendered; and

(c) shall surrender the donated license and any related permit before the start of any season for which the license and permit are valid.

(2) In order to obtain a license and any related permit pursuant to this section, a veteran or a member of the armed forces:

(a) must be a purple heart recipient;

(b) must, as the result of wounds or injuries received in a combat zone, be medically retired, have a 70% or greater disability rating by the United States department of veterans affairs or department of defense, or have active duty status;

- 1 (c) is not required to be a resident;
- 2 (d) does not have to first obtain a conservation license; ~~and~~
- 3 (e) is not required to pay any fee; and
- 4 (f) may not have previously received a license and any related permit pursuant to this section in
- 5 the past calendar year.
- 6 (3) A license and any related permit reissued pursuant to this section entitles the disabled veteran
- 7 or disabled member of the armed forces to take the same species in the same administrative region or regions,
- 8 hunting district or districts, or portions thereof, as allowed by the license and any related permit that was
- 9 surrendered.
- 10 (4) Any license or permit surrendered or reissued pursuant to this section may not be sold, traded,
- 11 auctioned, or offered for any monetary value and may not be used by any person other than a disabled veteran
- 12 or disabled member of the armed forces who meets the requirements of subsection (2).
- 13 (5) The restrictions in 87-2-702(3) and (4) do not apply to a disabled veteran or a disabled member
- 14 of the armed forces who obtains a license pursuant to this section.
- 15 (6) The department may adopt rules to implement the provisions of this section."

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