

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO GARBAGE
5 FEEDING; PROHIBITING PACKAGING MATERIALS FROM BEING INCLUDED IN GARBAGE FED TO
6 SWINE; REVISING A DEFINITION; AND AMENDING SECTIONS 81-2-501, 81-2-502, AND 81-2-511, MCA."

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

9
10 **Section 1.** Section 81-2-501, MCA, is amended to read:

11 **"81-2-501. Definitions.** When used in this part, the following definitions apply:

12 ~~(1) "Garbage" means wastes resulting from the handling, preparation, cooking, and consumption~~
13 ~~of animal products, including animal carcasses or parts of animal carcasses, or other refuse of any character~~
14 ~~that has been associated with any animal products, including animal carcasses or parts of animal carcasses.~~
15 ~~Waste products that do not contain animal products are not considered garbage for the purpose of garbage~~
16 ~~feeding.~~

17 ~~(1) (a) "Garbage" means:~~

18 ~~(i) waste material derived in whole or in part from the meat of an animal, including fish and poultry,~~
19 ~~or from other animal materials, including animal carcasses; or~~

20 ~~(ii) other waste materials resulting from the handling, preparation, cooking, or consumption of food.~~

21 ~~(b) The term does not include packaging materials or other waste materials that do not contain~~
22 ~~animal products.~~

23 ~~(2) "Garbage feeder" means a person who handles, prepares, cooks, or otherwise treats garbage~~
24 ~~to feed to swine or other animals, as well as a person who feeds garbage to swine or other animals.~~

25 ~~(3) "Person" means the state, any municipality, political subdivision, school district, institution,~~
26 ~~public or private corporation, individual, partnership, or other entity."~~

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28 **Section 2.** Section 81-2-502, MCA, is amended to read:

"81-2-502. Illegal to feed garbage to swine. (1) It is unlawful to:

(a) handle, prepare, cook, or otherwise treat garbage to feed to swine or other animals; or to

(b) feed garbage to swine or other animals.

(2) This part does not apply to a person who feeds only the person's own household garbage to swine or other animals under their ownership."

Section 3. Section 81-2-511, MCA, is amended to read:

"81-2-511. Penalties. Any person who shall violate any of the provisions of or who fails to perform any duty imposed by this part shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$50 or more than \$250 or by imprisonment for a term of not more than 6 months or by both such fine and imprisonment. In addition thereto, such person may be enjoined from continuing such violation. Each day upon which such violation occurs shall constitute a separate violation.

(1) A person who violates this part is guilty of a misdemeanor and is subject to a fine of not less than \$50 or more than \$250, imprisonment for not more than 6 months, or both.

(2) A court may issue an injunction to prohibit a person from repeating a violation of this part.

(3) Each day of violation constitutes a separate violation for the purposes of this section."

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