

HOUSE BILL NO. 372

INTRODUCED BY T. FRANCE, J. SECKINGER, C. COCHRAN, T. MILLETT, E. TILLEMAN, B. GILLESPIE, S.
GIST, K. WALSH, R. MINER, L. DEMING, G. PARRY, V. MOORE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LICENSE FEES USED FOR THE UPLAND GAME
BIRD ENHANCEMENT PROGRAM; REVISING FEE AMOUNTS FOR HUNTING LICENSES; AMENDING
SECTIONS 87-1-246, 87-2-401, 87-2-402, 87-2-405, 87-2-505, 87-2-510, 87-2-511, AND 87-2-711, MCA; AND
PROVIDING A DELAYED EFFECTIVE DATE."

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

Section 1. Section 87-1-246, MCA, is amended to read:

"87-1-246. Funding of upland game bird enhancement program. The amount of money specified
in this section from the sale of each hunting license listed, EXCLUDING DISCOUNTED LICENSES SOLD UNDER 87-2-
514, 87-2-522, 87-2-525, 87-2-526, 87-2-801, 87-2-803, AND 87-2-805(1) AND (2), must be used exclusively by
the department to preserve and enhance upland game bird populations in Montana in accordance with 87-1-
246 through 87-1-249, subject to appropriation by the legislature:

- (1) Class A-1, resident upland game bird, ~~\$2 \$7.50~~ \$4.50;
- (2) Class B-1, nonresident upland game bird, ~~\$23~~ \$40;
- (3) Class B-2, 3-day nonresident upland game bird, ~~\$40~~ \$20;
- (4) Class AAA, combination sports, ~~\$2 \$7.50~~ \$4.50; ~~AND~~ and
- (5) Class B-10, nonresident big game combination, ~~\$23 \$40; and~~ .
- ~~(6) Class B-11, nonresident deer combination, \$40."~~

Section 2. Section 87-2-401, MCA, is amended to read:

"87-2-401. Class A-1--resident upland game bird license. Except as otherwise provided, a
resident, as defined by 87-2-102, who is 12 years of age or older or who will turn 12 years old before or during
the season for which the license is issued may, upon payment of a fee of ~~\$7.50 \$40~~ \$8, receive a Class A-1

license that entitles a holder who is 12 years of age or older to hunt upland game birds and possess the carcasses of upland game birds as authorized by department rules."

Section 3. Section 87-2-402, MCA, is amended to read:

"87-2-402. Class B-1--nonresident upland game bird license. Except as otherwise provided in this chapter, a person who is not a resident, as defined in 87-2-102, but who is 12 years of age or older or who will turn 12 years old before or during the season for which the license is issued, upon payment of a fee of ~~\$140~~ \$127 may receive a Class B-1 license that entitles a holder who is 12 years of age or older to hunt upland game birds and possess the carcasses of upland game birds as authorized by department rules."

Section 4. Section 87-2-405, MCA, is amended to read:

"87-2-405. Class B-2--3-day nonresident upland game bird license. (1) Except as otherwise provided and subject to subsection (2), a person who is not a resident, as defined in 87-2-102, but who is 12 years of age or older or who will turn 12 years old before or during the season for which the license is issued may, upon payment of a fee of ~~\$50~~ ~~\$70~~ \$60, receive a Class B-2 license that entitles a holder who is 12 years of age or older to hunt upland game birds for 3 calendar days as indicated on the license and possess the carcasses of upland game birds as authorized by the commission.

(2) A Class B-2 license may not be used to hunt or take:

- (a) ring-necked pheasants during the opening week of that season; or
- (b) sage grouse at any time."

Section 5. Section 87-2-505, MCA, is amended to read:

"87-2-505. Class B-10--nonresident big game combination license. (1) Except as otherwise provided in this chapter, a person who is not a resident, as defined in 87-2-102, but who is 12 years of age or older or who will turn 12 years old before or during the season for which the license is issued may, upon payment of the fee of ~~\$984~~ ~~\$1,024~~ \$1,312 and subject to the limitations prescribed by law and department regulation, apply to the fish, wildlife, and parks office, Helena, Montana, to purchase a B-10 nonresident big game combination license that entitles a holder who is 12 years of age or older to all the privileges of Class B,

1 Class B-1, and Class B-7 licenses and an elk tag.

2 (2) Not more than 17,000 Class B-10 licenses may be sold in any 1 license year.

3 (3) Of the fee paid for the purchase of a Class B-10 nonresident big game combination license
4 pursuant to subsection (1), 28.5% must be deposited in the account established in 87-1-290.

5 (4) The cost of the Class B-10 nonresident big game combination license must be adjusted
6 annually based on any change to the consumer price index from the previous year. The consumer price index
7 to be used for calculations is the consumer price index for all urban consumers (CPI-U). The adjusted cost must
8 be rounded down to the nearest even-numbered amount."

9

10 **Section 6.** Section 87-2-510, MCA, is amended to read:

11 **"87-2-510. Class B-11--nonresident deer combination license.** (1) (a) Except as otherwise
12 provided in this chapter, a person who is not a resident, as defined in 87-2-102, but who is 12 years of age or
13 older or who will turn 12 years old before or during the season for which the license is issued may, upon
14 payment of a fee of ~~\$577~~ ~~\$617~~ \$760 and subject to the limitations prescribed by law and department regulation,
15 apply to the fish, wildlife, and parks office, Helena, Montana, to purchase a Class B-11 nonresident deer
16 combination license that entitles a holder who is 12 years of age or older to all the privileges of the Class B,
17 Class B-1, and Class B-7 licenses.

18 (b) Of the fee paid for the purchase of a Class B-11 nonresident deer combination license
19 pursuant to subsection (1)(a), 28.5% must be deposited in the account established in 87-1-290.

20 (c) The cost of the Class B-11 nonresident deer combination license must be adjusted annually
21 based on any change to the consumer price index from the previous year. The consumer price index to be used
22 for calculations is the consumer price index for all urban consumers (CPI-U). The adjusted cost must be
23 rounded down to the nearest even-numbered amount.

24 (2) Not more than 4,600 unreserved Class B-11 licenses may be sold in any 1 license year."

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26 **SECTION 7.** Section 87-2-511, MCA, is amended to read:

27 **"87-2-511. Sale and use of Class B-10 and Class B-11 licenses.** (1) The department shall offer the
28 Class B-10 and Class B-11 licenses for sale on April 1, with 2,000 of the authorized Class B-11 licenses

reserved for applicants indicating their intent to hunt with a resident sponsor on land owned by that sponsor, as provided in subsections (2) and (3).

(2) Each application for a resident-sponsored license under subsection (1) must contain a written affirmation by the applicant that the applicant intends to hunt with a resident sponsor and must indicate the name of the resident sponsor with whom the applicant intends to hunt. In addition, the application must be accompanied by a certificate that is signed by a resident sponsor and that affirms that the resident sponsor will:

(a) direct the applicant's hunting and advise the applicant of game and trespass laws of the state;

(b) submit to the department, in a manner prescribed by the department, complete records of who hunted with the resident sponsor, where they hunted, and what game was taken; and

(c) accept no monetary consideration for enabling the nonresident applicant to obtain a license or for providing any services or assistance to the nonresident applicant, except as provided in Title 37, chapter 47, and this title.

(3) The certificate signed by the resident sponsor pursuant to subsection (2) must also affirm that the sponsor is a landowner and that the applicant under the certificate will hunt only on land owned by the sponsor. If there is a sufficient number of licenses set forth in subsection (1), the department shall issue a license to one applicant sponsored by each resident landowner who owns 640 or more contiguous acres. If enough licenses remain for a second applicant for each resident landowner sponsor, the department shall issue a license to the second applicant sponsored by each resident landowner. The department shall conduct a drawing for any remaining resident-sponsored licenses. If there is not a sufficient number of licenses set forth in subsection (1) to allow each resident landowner who owns 640 contiguous acres to sponsor one applicant, the department shall conduct a drawing for the resident-sponsored licenses. However, a resident sponsor of a Class B-11 license may submit no more than 15 certificates of sponsorship in any license year.

(4) A nonresident who hunts under the authority of a resident landowner-sponsored license shall conduct all deer hunting on the deeded lands of the sponsoring landowner.

(5) All Class B-10 and Class B-11 licenses that are not reserved under subsection (1) must be issued by a drawing among all applicants for the respective unreserved licenses.

(6) (a) An applicant who applies for a Class B-10 license and an applicable special elk permit but who is not successful in a drawing for the special elk permit may choose to retain only the Class B-7 portion of

the Class B-10 license. The department shall sell the Class B-7 portion as a Class B-11 license for the fee set in 87-2-510. The provisions of this subsection (6)(a) do not affect the limits established in 87-2-510(2). The remaining elk tag portion of the Class B-10 license must be sold by the department as an elk-only combination license for a fee of ~~\$834~~ \$1,112.

(b) Subject to the statutory quota provided in 87-2-505, if the department determines all available elk-only combination licenses have sold by December 1 in any license year, the cost of the elk-only combination license must be adjusted for the subsequent license year based on any change to the consumer price index from the previous year. The consumer price index to be used for calculations is the consumer price index for all urban consumers (CPI-U). The adjusted cost must be rounded down to the nearest even-numbered amount and applies to subsequent license years unless the conditions of this subsection are met.

(c) The department may retain 10% of the Class B-10 license fee if an applicant chooses to buy only a portion of the Class B-10 license pursuant to subsection (6)(a) after the Class B-10 license has been issued to the applicant.

(d) The revenue collected pursuant to this subsection (6) must be deposited in the state special revenue account to the credit of the department and may not be allocated pursuant to other statutory requirements generally applicable to Class B-10 or Class B-11 licenses."

Section 8. Section 87-2-711, MCA, is amended to read:

"87-2-711. Class AAA--combination sports license. (1) Except as otherwise provided in this chapter, a resident, as defined by 87-2-102, who is 12 years of age or older or who will turn 12 years old before or during the season for which the license is issued is entitled to:

(a) a combination sports license that permits a holder who is 12 years of age or older to exercise all rights granted to holders of Class A, A-1, A-3, and A-5 licenses upon payment of the sum of ~~\$62~~ \$64.50 ~~\$62.50~~; or

(b) a combination sports license that permits a holder who is 12 years of age or older to exercise all rights granted in subsection (1)(a) and the additional rights granted to holders of a Class A-6 tag upon payment of the sum of ~~\$77~~ \$79.50 ~~\$77.50~~.

(2) The department may furnish each holder of a combination sports license an appropriate decal."

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2 NEW SECTION. **Section 9. Effective date.** [This act] is effective March 1, 2026.

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