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HOUSE BILL NO. 547

INTRODUCED BY J. COHENOUR, D. SALOMON, L. JONES, D. LOGE, R. FITZGERALD, N. DURAM, T. RUNNING WOLF, J. KASSMIER, M. MARLER, P. FIELDER, S. GIST, K. KORTUM, T. FRANCE, M. THANE, E. MATTHEWS

A BILL FOR AN ACT ENTITLED: "AN ACT BANNING THE SALE OF IMAGES, VIDEO, OR LOCATION DATA OF WILDLIFE LOCATED ON PUBLIC LAND OBTAINED BY ~~REMOTE DEVICES ANY MEANS FOR USE IN HARMING, HARASSING, OR KILLING WILDLIFE~~; AND AMENDING SECTION 87-6-222, MCA."

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

Section 1. Section 87-6-222, MCA, is amended to read:

"87-6-222. Fish and wildlife location data -- penalties. (1) Unless specifically authorized by the department, a person who obtains exact coordinate location data from the department may not use the data or transfer the data to another person to use in a way that harms, harasses, or kills fish or wildlife. ~~A person who uses, transfers, or receives exact coordinate location data in violation of this section shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both.~~

(2) A person may not sell images, video, or location data of wildlife located on public land that is obtained by ~~a device triggered by heat or motion~~ any means for use in a way that harms, harasses, or kills fish or wildlife.

(3) A person convicted of violating subsections (1) or (2) shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both.

~~(2)(4)~~ Upon ~~On~~ conviction or forfeiture of bond or bail, the person may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in 77-1-101, for recreational purposes for a period of time set by the court.

~~(3)(5)~~ A person convicted under this section may be subject to the additional penalties provided in 87-6-901 through 87-6-903.

