69th Legislature 2025 HB 857.1

1	HOUSE BILL NO. 857
2	INTRODUCED BY T. FRANCE
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4	A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A SURCHARGE FOR LEASED HUNTING OR
5	FISHING LANDS; PROVIDING THAT 10% OF AN ANNUAL LEASE PAYMENT BE PAID TO THE
6	DEPARTMENT OF FISH, WILDLIFE, AND PARKS UPON PURCHASE OF A CONSERVATION LICENSE;
7	REQUIRING THAT REVENUES FROM THE FEE BE USED TO FUND BLOCK MANAGEMENT; PROVIDING
8	A PENALTY; AMENDING SECTION 87-2-202, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
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10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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12	Section 1. Section 87-2-202, MCA, is amended to read:
13	"87-2-202. Application fee lease surcharge penalty. (1) (a) Except as provided in 87-2-
14	817(2), a conservation license must be sold upon written application. The application must contain the
15	applicant's name, age, [last four digits of the applicant's social security number,] street address of permanent
16	residence, mailing address, qualifying length of time as a resident in the state of Montana, and status as a
17	citizen of the United States or as an alien and must be signed by the applicant. The applicant shall present a
18	valid Montana driver's license, a Montana driver's examiner's identification card, a tribal identification card, or
19	other identification specified by the department to substantiate the required information when applying for a
20	conservation license. It is the applicant's burden to provide documentation establishing the applicant's identity
21	and qualifications to purchase a conservation license or to receive a free conservation license pursuant to 87-2
22	817(2).
23	(b) (i) The application must also state whether the applicant is leasing or plans to lease land for
24	hunting or fishing during the period the license is valid. The application must state the total annual amount paid
25	for the lease, the duration of the lease, and whether the lease is done in partnership with others or through a
26	corporation.
27	(ii) In addition to the license fee, the applicant shall pay 10% of the applicant's share of the annual
28	lease payment stated in subsection (1)(b)(i) as a surcharge. Surcharge revenues must be used to fund the



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(iii) Failure to comply with this subsection (1)(b) may result in the revocation of a person's hunting and fishing privileges for at least 5 years.

- (2) Hunting, fishing, or trapping licenses issued in a form determined by the department must be recorded according to rules that the department may prescribe.
- (3) (a) Resident conservation licenses may be purchased for a fee of \$8, of which 25 cents is a voluntary search and rescue donation.
- 8 (b) Nonresident conservation licenses may be purchased for a fee of \$10, of which 25 cents is a 9 voluntary search and rescue donation.
 - (c) A person who purchases a conservation license may make a written election not to pay the additional search and rescue donation in subsections (3)(a) and (3)(b). If a written election is made, the donation may not be collected.
 - [(4) The department shall keep the applicant's social security number confidential, except that the number may be provided to the department of public health and human services for use in administering Title IV-D of the Social Security Act.]
 - (5) The department shall delete the applicant's social security number in any electronic database [5 years after the date that application is made for the most recent license]. (Bracketed language terminates or is amended on occurrence of contingency--sec. 3, Ch. 321, L. 2001. The \$2 conservation license fee increases in subsections (3)(a) and (3)(b) enacted by Ch. 596, L. 2003, are void on occurrence of contingency--sec. 8, Ch. 596, L. 2003.)"

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22 <u>NEW SECTION.</u> **Section 2. Effective date.** [This act] is effective on passage and approval.

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