

SENATE BILL 64

Introduced by Gage

1/09	Introduced
1/10	Referred to Agriculture, Livestock & Irrig.
1/10	First Reading
2/01	Hearing
2/01	Tabled in Committee

1 Senate BILL NO. 64
2 INTRODUCED BY [Signature]
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT APPLYING LIVESTOCK
5 TRESPASSING LAWS TO UNINCORPORATED RESIDENTIAL AREAS AND
6 TOURISM-RELATED AREAS; PROVIDING METHODS FOR IMPOUNDMENT OF
7 TRESPASSING LIVESTOCK AND RETURN TO THE RIGHTFUL OWNER; AND
8 AMENDING SECTIONS 81-4-401 AND 81-4-403, MCA."
9

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

11 **Section 1.** Section 81-4-401, MCA, is amended to read:

12 "81-4-401. Certain livestock not to run at large in
13 municipalities, unincorporated residential areas, and
14 tourism-related areas. No--horses Horses, cattle, mules,
15 sheep, llamas, bison, goats, or swine may not be allowed to
16 run at large in any incorporated city or town,
17 unincorporated residential area, or tourism-related area as
18 determined by the governing body of the county."

19 **Section 2.** Section 81-4-403, MCA, is amended to read:

20 "81-4-403. Impounding animals -- duties of county
21 officers, cities, and towns. (1) When any livestock or
22 domestic animals of any kind are impounded, seized,
23 restrained, or held by any a city or town or its officers or
24 agents, it shall-be is the duty of such the city or town or
25 its officers or agents, to give notice to the own of such

1 the livestock or domestic animals so impounded, seized,
2 restrained, or held by such the city or town, if the owner
3 is known, in the manner hereinafter provided in 81-4-404
4 through 81-4-410.

5 (2) When any livestock are found running at large
6 unattended in an unincorporated residential area or a
7 tourism-related area in violation of 81-4-401:

8 (a) the livestock may be detained by the owner or
9 occupant of the premises in the manner set out in 81-4-217;
10 or

11 (b) a county sheriff or other peace officer may impound
12 the livestock and notify the rightful owner of the impounded
13 livestock, if the owner is known.

14 (3) In determining the rightful owner, the county
15 sheriff or peace officer shall use reasonable diligence to
16 ascertain any marks or brands on the livestock. If the
17 county sheriff or peace officer cannot determine the
18 rightful owner, then a state stock inspector of the
19 department or a deputy state stock inspector of the county
20 may be called to examine the livestock for brands to
21 determine ownership. The rightful owner must be notified by
22 the inspector, and the usual inspection fees and mileage
23 must be paid by the owner of the livestock."

-End-

INTRODUCED BILL
SB64

