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Senate BILL NO. 215
INTRODUCED BY *Turnage*

A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE IT A MISDEMEANOR TO ALLOW BUFFALO TO RUN AT LARGE AND TO PROVIDE CIVIL REMEDIES FOR DAMAGE CAUSED THEREBY."

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

Section 1. Buffalo not to run at large. (1) An owner or person having the management or control of any buffalo shall contain such animal in an enclosure sufficient to prevent it from running at large.

(2) Any such owner or person who knowingly permits buffalo to run at large is guilty of a misdemeanor and punishable by a fine not to exceed \$50.

Section 2. Liability for civil damages. Any person damaged by buffalo running at large may recover any damage sustained thereby in a civil action.

Section 3. Buffalo running at large a public nuisance. A buffalo running at large is a public nuisance and may be removed as provided by law for the abatement of public nuisances.

Section 4. Section 46-1409, R.C.M. 1947, is amended to read as follows:

"46-1409. Liability of owners of stock for trespass.

1 If any cattle, horse, mule, ass, hog, sheep, buffalo, or
2 other domestic animal break into any inclosure, the fence
3 being legal, as hereinbefore provided, the owner of such
4 animal is liable for all damages to the owner or occupant of
5 the inclosure which may be sustained thereby. This section
6 must not be construed so as to require a legal fence in
7 order to maintain an action for injury done by animals
8 running at large contrary to law."

-End-

INTRODUCED BILL

SB215

Approved by Committee
on Judiciary

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2 INTRODUCED BY TURNAGE
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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE IT A
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REFERENCE BILL

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