

HOUSE BILL NO. 123

INTRODUCED BY BERTELSEN

IN THE HOUSE

January 8, 1981	Introduced and referred to Committee on Fish and Game.
January 17, 1981	Committee recommend bill do pass as amended. Report adopted.
January 19, 1981	Bill printed and placed on members' desks.
January 20, 1981	Second reading, do pass as amended.
January 21, 1981	Correctly engrossed. Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 22, 1981	Introduced and referred to Committee on Fish and Game.
February 13, 1981	Committee recommend bill be concurred in. Report adopted.
February 16, 1981	Second reading, concurred in.
February 19, 1981	Third reading, concurred in. Ayes, 46; Nays, 2.

IN THE HOUSE

February 20, 1981	Returned from Senate. Concurred in. Sent to enrolling. Reported correctly enrolled.
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1 HOUSE BILL NO. 123
2 INTRODUCED BY Bertelson

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW DISCHARGE OF
5 FIREARMS AT SHOOTING RANGES LOCATED IN TOWNS OR CITIES OR
6 LOCATED IN PRIVATE DWELLINGS UNDER CERTAIN CONDITIONS; AND
7 TO CLARIFY THAT IT IS OTHERWISE LAWFUL TO DISCHARGE A
8 FIREARM IN TOWNS, CITIES, OR PRIVATE DWELLINGS IN CERTAIN
9 INSTANCES; AMENDING SECTION 45-8-343, MCA."

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

12 Section 1. Section 45-8-343, MCA, is amended to read:

13 "45-8-343. Firing firearms. ~~Every (1) Except as~~
14 ~~provided in subsections (2) and (3), every~~ person who
15 willfully shoots or fires off a gun, pistol, or any other
16 firearm within the limits of any town or city or of any
17 private enclosure which contains a dwelling house is
18 punishable by a fine not exceeding \$25.

19 ~~(2) Firearms may be discharged at an indoor or outdoor~~
20 ~~rifle, pistol, or shotgun shooting range located within the~~
21 ~~limits of a town or city or in a private dwelling if:~~

22 ~~(a) the shooting range is approved by the national~~
23 ~~rifle association;~~

24 ~~(b) the shooting range does not constitute a public~~
25 ~~nuisance under 45-8-111; and~~

1 ~~(c) all other applicable state and local laws are~~
2 ~~complied with;~~
3 ~~(3) Subsection (1) does not apply if the discharge of~~
4 ~~a firearm is justifiable under Title 45, chapter 3, part 1."~~

-End-

-2- INTRODUCED BILL
HB 123

Approved by Comm.
on Fish and Game

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 2 INTRODUCED BY BERTELSEN
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 6 LOCATED IN PRIVATE DWELLINGS UNDER CERTAIN CONDITIONS; AND
 7 TO CLARIFY THAT IT IS OTHERWISE LAWFUL TO DISCHARGE A
 8 FIREARM IN TOWNS, CITIES, OR PRIVATE DWELLINGS IN CERTAIN
 9 INSTANCES; AMENDING SECTION 45-8-343, MCA; ~~AND PROVIDING FOR~~
 10 ~~AN IMMEDIATE EFFECTIVE DATE."~~

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 21 ~~rifle, pistol, or shotgun shooting range located within the~~
 22 ~~limits of a town or city or in a private dwelling if:~~

23 ~~(a) the shooting range is approved by the national~~
 24 ~~rifle association;~~

25 ~~(b) the shooting range does not constitute a public~~

1 ~~nuisance under 45-8-1111 and~~
 2 ~~(c) all other applicable state and local laws are~~
 3 ~~complied with TOWN OR CITY.~~
 4 ~~(3) Subsection (1) does not apply if the discharge of~~
 5 ~~a firearm is justifiable under Title 45, chapter 3, part 1."~~

-End-

SECOND READING

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8 FIREARM IN TOWNS, CITIES, OR PRIVATE DWELLINGS IN CERTAIN
9 INSTANCES; AMENDING SECTION 45-8-343, MCA; AND PROVIDING FOR
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16 willfully shoots or fires off a gun, pistol, or any other
17 firearm within the limits of any town or city or of any
18 private enclosure which contains a dwelling house is
19 punishable by a fine not exceeding \$25.

20 (2) Firearms may be discharged at an indoor or outdoor
21 rifle, pistol, or shotgun shooting range located within the
22 limits of a town or city or in a private dwelling if:

23 the shooting range is approved by the national
24 rifle association

25 the shooting range does not constitute a public

1 ~~enclosure under 45-8-343 and~~

2 ~~but all other applicable state and local laws are~~
3 ~~complied with IRLN-88-611 LOCAL GOVERNING BODY.~~

4 ~~(3) Subsection (1) does not apply if the discharge of~~
5 ~~a firearm is justifiable under Title 45, chapter 3, part 1."~~

6 ~~SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON~~
7 ~~PASSAGE AND APPROVAL.~~

-End-

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INTRODUCED BY BERTELSEN

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW DISCHARGE OF FIREARMS AT SHOOTING RANGES LOCATED IN TOWNS OR CITIES OR LOCATED IN PRIVATE DWELLINGS UNDER CERTAIN CONDITIONS; AND TO CLARIFY THAT IT IS OTHERWISE LAWFUL TO DISCHARGE A FIREARM IN TOWNS, CITIES, OR PRIVATE DWELLINGS IN CERTAIN INSTANCES; AMENDING SECTION 45-8-343, MCA; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 45-8-343, MCA, is amended to read:

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(2) Firearms may be discharged at an indoor or outdoor rifle, pistol, or shotgun shooting range located within the limits of a town or city or in a private dwelling if:

(a) the shooting range is approved by the national rifle association;

(b) the shooting range does not constitute a public

~~nuisance under 45-8-1111 and~~

~~(c) all other applicable state and local laws are complied with FOWN-OR-CITY LOCAL GOVERNING BODY.~~

~~(3) Subsection (1) does not apply if the discharge of a firearm is justifiable under Title 45, chapter 3, part 1."~~

~~SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON PASSAGE AND APPROVAL.~~

-End-