

SENATE BILL NO. 435

2/15 Introduced  
2/16 Referred to Natural Resources  
2/22 Hearing  
2/23 Committee Report-Bill Do Pass  
2/26 2nd Reading Pass  
2/27 3rd Reading Pass

Transmitted to House

3/06 Referred to Judiciary  
3/26 Hearing  
3/29 Adverse Committee Report  
3/30 Bill Killed

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

*Senate* BILL NO. 435  
*Dalt*

INTRODUCED BY \_\_\_\_\_

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT PERMISSION OF THE LANDOWNER MUST BE OBTAINED PRIOR TO USING PRIVATE LAND FOR RECREATIONAL PURPOSES; AMENDING SECTIONS 87-1-504 AND 87-1-505, MCA."

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

NEW SECTION. Section 1. Landowner's permission required for recreation on private land. Except when incidental to and necessary for the recreational use of surface waters as provided by law, no person may enter or remain on private real property for recreational purposes without having first obtained permission from the landowner, lessee, or his agent. Any person convicted of violating this section shall be punished as provided in 87-1-102(1).

Section 2. Section 87-1-504, MCA, is amended to read: "87-1-504. Protection of private property -- wardens as ex officio fire wardens. It shall be the duty of wardens (state conservation officers) to enforce the provisions of [section 1] on private lands and to enforce the provisions of 45-6-101, 45-6-203, and 75-10-212(2) on private lands where public recreation is permitted and to act as ex officio fire wardens as provided by 77-5-104."

1  
2  
3  
4  
5  
6  
7  
8  
9

Section 3. Section 87-1-505, MCA, is amended to read: "87-1-505. Warden's power in protection of private property. Wardens (state conservation officers) shall have the power of peace officers in the enforcement of 45-6-101, 45-6-203, [section 1], and 75-10-212(2)."

NEW SECTION. Section 4. Codification instruction. Section 1 is intended to be codified as an integral part of Title 70, chapter 16, part 3, and the provisions of Title 70, chapter 16, part 3, apply to section 1.

-End-



INTRODUCED BILL  
SB 435

APPROVED BY COMM. ON NATURAL RESOURCES

1 Senate BILL NO. 435  
2 INTRODUCED BY Dalt  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT  
5 PERMISSION OF THE LANDOWNER MUST BE OBTAINED PRIOR TO USING  
6 PRIVATE LAND FOR RECREATIONAL PURPOSES; AMENDING SECTIONS  
7 87-1-504 AND 87-1-505, MCA."  
8

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

10 NEW SECTION. Section 1. Landowner's permission  
11 required for recreation on private land. Except when  
12 incidental to and necessary for the recreational use of  
13 surface waters as provided by law, no person may enter or  
14 remain on private real property for recreational purposes  
15 without having first obtained permission from the landowner,  
16 lessee, or his agent. Any person convicted of violating this  
17 section shall be punished as provided in 87-1-102(1).

18 Section 2. Section 87-1-504, MCA, is amended to read:  
19 "87-1-504. Protection of private property -- wardens  
20 as ex officio fire wardens. It shall be the duty of wardens  
21 (state conservation officers) to enforce the provisions of  
22 [section 1] on private lands and to enforce the provisions  
23 of 45-6-101, 45-6-203, and 75-10-212(2) on private lands  
24 where public recreation is permitted and to act as ex  
25 officio fire wardens as provided by 77-5-104."

1 Section 3. Section 87-1-505, MCA, is amended to read:  
2 "87-1-505. Warden's power in protection of private  
3 property. Wardens (state conservation officers) shall have  
4 the power of peace officers in the enforcement of 45-6-101,  
5 45-6-203, [section 1], and 75-10-212(2)."  
6 NEW SECTION. Section 4. Codification instruction.  
7 Section 1 is intended to be codified as an integral part of  
8 Title 70, chapter 16, part 3, and the provisions of Title  
9 70, chapter 16, part 3, apply to section 1.

-End-



-2- SECOND READING  
SB 435

1 Senate BILL NO. 435  
2 INTRODUCED BY Duff  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT  
5 PERMISSION OF THE LANDOWNER MUST BE OBTAINED PRIOR TO USING  
6 PRIVATE LAND FOR RECREATIONAL PURPOSES; AMENDING SECTIONS  
7 87-1-504 AND 87-1-505, MCA."  
8

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

10 NEW SECTION. Section 1. Landowner's permission  
11 required for recreation on private land. Except when  
12 incidental to and necessary for the recreational use of  
13 surface waters as provided by law, no person may enter or  
14 remain on private real property for recreational purposes  
15 without having first obtained permission from the landowner,  
16 lessee, or his agent. Any person convicted of violating this  
17 section shall be punished as provided in 87-1-102(1).

18 Section 2. Section 87-1-504, MCA, is amended to read:  
19 "87-1-504. Protection of private property -- wardens  
20 as ex officio fire wardens. It shall be the duty of wardens  
21 (state conservation officers) to enforce the provisions of  
22 [section 1] on private lands and to enforce the provisions  
23 of 45-6-101, 45-6-203, and 75-10-212(2) on private lands  
24 where public recreation is permitted and to act as ex  
25 officio fire wardens as provided by 77-5-104."

1 Section 3. Section 87-1-505, MCA, is amended to read:  
2 "87-1-505. Warden's power in protection of private  
3 property. Wardens (state conservation officers) shall have  
4 the power of peace officers in the enforcement of 45-6-101,  
5 45-6-203, [section 1], and 75-10-212(2)."  
6 NEW SECTION. Section 4. Codification instruction.  
7 Section 1 is intended to be codified as an integral part of  
8 Title 70, chapter 16, part 3, and the provisions of Title  
9 70, chapter 16, part 3, apply to section 1.

-End-



-2- THIRD READING  
SB 435