

HB 307 INTRODUCED BY HARPER, ET AL.  
COUNTY REGULATE DISCHARGE OF FIREARMS IN AREAS UPON  
PETITION OF RESIDENTS

1/20 INTRODUCED  
1/20 REFERRED TO FISH & GAME  
2/10 HEARING  
2/10 TABLED IN COMMITTEE

1 House BILL NO. 307  
2 INTRODUCED BY Hayden Cobb

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4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING BOARDS OF  
5 COUNTY COMMISSIONERS TO REGULATE THE DISCHARGE OF FIREARMS  
6 IN AN AREA OF A COUNTY UPON PETITION AND HEARING BY  
7 RESIDENTS OF THE AREA; PROVIDING THAT THE PROTECTION OF  
8 PERSON OR PROPERTY MAY NOT BE PROHIBITED; AND PROVIDING FOR  
9 THE ESTABLISHMENT OF A PENALTY FOR THE VIOLATION OF THE  
10 REGULATIONS."

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

13 Section 1. Control of use of firearms -- petition. (1)  
14 The residents of an area of a county may petition the board  
15 of county commissioners to regulate the discharge of  
16 firearms in the area designated in the petition. If 15% of  
17 the residents of a definable area that is not within the  
18 limits of a municipality petition for the establishment of  
19 regulations on the discharge of firearms within the area,  
20 the board shall set a date for a public hearing on the  
21 question of establishing such regulations.

22 (2) The hearing must be held within 60 days of receipt  
23 of the petition. After the hearing, the board may either  
24 establish an area with restrictions against the discharge of  
25 firearms or refuse to establish such an area.

1 (3) In the resolution establishing such restrictions,  
2 the board may:

- 3 (a) correct or change the description of the area as
- 4 set forth in the petition:
- 5 (i) to reflect testimony made at the hearing;
- 6 (ii) to follow natural boundaries or geographical
- 7 features that define the area; or
- 8 (iii) for any other reason the commissioners consider
- 9 appropriate;

10 (b) provide that the regulations relate to the  
11 discharge of firearms only during certain clock or calendar  
12 times or that firearm discharges of specified types or under  
13 specified conditions are not prohibited;

14 (c) establish a penalty for the violation of the  
15 restriction on the discharge of firearms, not to exceed a  
16 fine of \$500 or imprisonment for a term not more than 6  
17 months or a penalty that includes both a fine and  
18 imprisonment.

19 (4) Areas with regulations on the discharge of  
20 firearms must be conspicuously posted with signs notifying  
21 persons that there are restrictions on the discharge of  
22 firearms in the area.

23 (5) Neither this section nor any restriction  
24 established by a board of county commissioners pursuant to  
25 this section prohibits the justifiable discharge of a

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1 firearm in the course of the protection of person or  
2 property as provided in Title 45, chapter 3, part 1.

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