

1 Marshall Wells HARP Brainard *Leigh Tenhoff*  
2 INTRODUCED BY *W. Lynn Banister* *House BILL NO. 323* *Joe Burnett*  
3 *John S. Brinkley* *Mark Woldson* *Wendy Feland* *Clark Orr* *Mike* *James* *Joe Benedict*  
4 *John D. Davis* *Mark McKee* *James* *Prisnor*  
5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A PERSON WITH A CONCEALED WEAPON  
6 PERMIT NEED NOT COMPLY WITH THE 5-DAY WAITING PERIOD REQUIRED BY FEDERAL LAW FOR THE  
7 PURCHASE OF A HANDGUN." *Merle Stoecklein*

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

9  
10 **NEW SECTION. Section 1. Concealed weapon permittee -- waiver of five-day handgun purchase**  
11 **waiting period.** (1) If a person granted a concealed weapon permit under 45-8-321 requests, the sheriff  
12 who granted the permit shall give the person, within 10 days after the request, a letter stating:

13 (a) that the person has been granted a concealed weapon permit by the sheriff;  
14 (b) the date upon which the permit must be renewed; and  
15 (c) that up to the renewal date, the sheriff waives the 5-day waiting period required by federal law  
16 for the purchase of a handgun.

17 (2) Upon showing any handgun seller in this state a letter issued under subsection (1), the person's  
18 concealed weapon permit, and a driver's license or other identification card with the person's picture on  
19 the card, the person is entitled to buy, and the seller shall sell the person, a handgun without complying  
20 with the 5-day waiting period.

21  
22 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
23 integral part of Title 45, chapter 8, part 3, and the provisions of Title 45 apply to [section 1].

24 -END-

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## HOUSE BILL NO. 323

2

INTRODUCED BY RYAN, BAER, GRIMES, MILLER, JORE, BENEDICT, MARSHALL, WELLS, HARP,  
BRAINARD, LYNCH, WENNEMAR, BURNETT, HALLIGAN, FRANKLIN, DEBRUYCKER, WELDON,  
GRADY, FELAND, CLARK, ORR, GAGE, JENKINS, HARRINGTON, WYATT, MCKEE, CRISMORE,  
MERCER, SQUIRES, DEVLIN

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7 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A PERSON WITH A CONCEALED WEAPON  
8 PERMIT NEED NOT COMPLY WITH THE 5-DAY WAITING PERIOD REQUIRED BY FEDERAL LAW FOR THE  
9 PURCHASE OF A HANDGUN."

10

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

12

13 **NEW SECTION.** **Section 1. Concealed weapon permittee -- waiver of five-day handgun purchase**  
14 **waiting period.** ~~(1) If a person granted a concealed weapon permit under 45-8-321 requests, the sheriff~~  
15 ~~who granted the permit shall give the person, within 10 days after the request, a letter stating:~~  
16 ~~(a) that the person has been granted a concealed weapon permit by the sheriff;~~  
17 ~~(b) the date upon which the permit must be renewed; and~~  
18 ~~(c) that up to the renewal date, the sheriff waives the 5-day waiting period required by federal law~~  
19 ~~for the purchase of a handgun.~~

20 ~~(2) Upon showing any handgun seller in this state a letter issued under subsection (1), the person's~~  
21 ~~concealed weapon permit, and a driver's license or other identification card with the person's picture on~~  
22 ~~the card, the person is entitled to buy, and the seller shall sell the person, a handgun without complying~~  
23 ~~with the 5-day waiting period.~~

24

25 **NEW SECTION.** **Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
26 integral part of Title 45, chapter 8, part 3, and the provisions of Title 45 apply to [section 1].

27

28 **NEW SECTION. SECTION 3. COORDINATION INSTRUCTION.** IF HOUSE BILL NO. 232 IS PASSED  
29 AND APPROVED WITH A PROVISION EXEMPTING A CONCEALED WEAPON PERMITTEE FROM THE  
30 FEDERAL HANDGUN PURCHASE BACKGROUND CHECK AND 5-DAY WAITING PERIOD, THEN [THIS ACT]

1 IS VOID.

2

-END-

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## HOUSE BILL NO. 323

2

INTRODUCED BY RYAN, BAER, GRIMES, MILLER, JORE, BENEDICT, MARSHALL, WELLS, HARP,  
BRAINARD, LYNCH, WENNEMAR, BURNETT, HALLIGAN, FRANKLIN, DEBRUYCKER, WELDON,  
GRADY, FELAND, CLARK, ORR, GAGE, JENKINS, HARRINGTON, WYATT, MCKEE, CRISMORE,  
MERCER, SQUIRES, DEVLIN

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6

7 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A PERSON WITH A CONCEALED WEAPON  
8 PERMIT NEED NOT COMPLY WITH THE 5-DAY WAITING PERIOD REQUIRED BY FEDERAL LAW FOR THE  
9 PURCHASE OF A HANDGUN."

10

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

12

13 **NEW SECTION.** **Section 1.** **Concealed weapon permittee -- waiver of five-day handgun purchase**  
14 **waiting period.** **(1)** **If a person granted a concealed weapon permit under 45-8-321 requests, the sheriff**  
15 **who granted the permit shall give the person, within 10 days after the request, a letter stating:**  
16 **(a) that the person has been granted a concealed weapon permit by the sheriff;**  
17 **(b) the date upon which the permit must be renewed; and**  
18 **(c) that up to the renewal date, the sheriff waives the 5-day waiting period required by federal law**  
19 **for the purchase of a handgun.**

20 **(2)** **Upon showing any handgun seller in this state a letter issued under subsection (1), the person's**  
21 **concealed weapon permit, and a driver's license or other identification card with the person's picture on**  
22 **the card, the person is entitled to buy, and the seller shall sell the person, a handgun without complying**  
23 **with the 5-day waiting period.**

24

25 **NEW SECTION.** **Section 2.** **Codification instruction.** [Section 1] is intended to be codified as an  
26 integral part of Title 45, chapter 8, part 3, and the provisions of Title 45 apply to [section 1].

27

28 **NEW SECTION. SECTION 3. COORDINATION INSTRUCTION.** **IF HOUSE BILL NO. 232 IS PASSED**  
29 **AND APPROVED WITH A PROVISION EXEMPTING A CONCEALED WEAPON PERMITTEE FROM THE**  
30 **FEDERAL HANDGUN PURCHASE BACKGROUND CHECK AND 5-DAY WAITING PERIOD, THEN [THIS ACT]**

1 IS VOID.

2

-END-

HOUSE BILL NO. 323

INTRODUCED BY RYAN, BAER, GRIMES, MILLER, JORE, BENEDICT, MARSHALL, WELLS, HARP,  
BRAINARD, LYNCH, WENNEMAR, BURNETT, HALLIGAN, FRANKLIN, DEBRUYCKER, WELDON,  
GRADY, FELAND, CLARK, ORP, GAGE, JENKINS, HARRINGTON, WYATT, MCKEE, CRISMORE,  
MERCER, DEVLIN, SQUIRES, MCCULLOCH

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A PERSON WITH A CONCEALED WEAPON PERMIT NEED NOT COMPLY WITH THE 5-DAY WAITING PERIOD REQUIRED BY FEDERAL LAW FOR THE PURCHASE OF A HANDGUN."

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

NEW SECTION. Section 1. Concealed weapon permittee -- waiver of five-day handgun purchase waiting period. (1) If a person granted a concealed weapon permit under 45-8-321 requests, the sheriff who granted the permit shall give the person, within 10 days after the request, a letter stating:

(a) that the person has been granted a concealed weapon permit by the sheriff;

(b) the date upon which the permit must be renewed; and

(c) that up to the renewal date, the sheriff waives the 5 day waiting period required by federal law prior to purchase of a handgun.

{2} Upon showing any handgun seller in this state a letter issued under subsection (1), the person's concealed weapon permit, and a driver's license or other identification card with the person's picture on the card, the person is entitled to buy, and the seller shall sell the person, a handgun without complying with the 5-day waiting period.

**NEW SECTION.** **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 45, chapter 8, part 3, and the provisions of Title 45 apply to [section 1].

NEW SECTION. SECTION 3. COORDINATION INSTRUCTION. IF HOUSE BILL NO. 232 IS PASSED AND APPROVED WITH A PROVISION EXEMPTING A CONCEALED WEAPON PERMITTEE FROM THE FEDERAL HANDGUN PURCHASE BACKGROUND CHECK AND 5-DAY WAITING PERIOD, THEN [THIS ACT]

1 IS VOID.

2

-END-