

SENATE BILL NO. 216

INTRODUCED BY B. TUTVEDT

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING REQUIREMENTS FOR LANDOWNER APIARY SITES; AMENDING SECTIONS 80-6-113, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 80-6-113, MCA, is amended to read:

"80-6-113. Landowner apiary site registrations. (1) ~~The~~ Except as provided in subsection (2), the department may grant landowner apiary site registrations under the following conditions:

(a) The applicant must be a landowner and must own the land upon which the apiary site will be located.

(b) The applicant must own the bees and the hives that will be placed on the apiary site.

(c) The bees and the hives must be personally managed and operated by the applicant.

(2) (a) A landowner apiary site registered under this section may be managed by a person registered to operate at least one nonhobbyist apiary site if the apiary site is registered to a landowner engaged in the production of crops that benefit from the presence of bees.

(b) An apiary site registered under this subsection (2) may have a maximum of 24 colonies.

~~(2)(3)~~ A certificate of registration of a landowner apiary site may not be leased, assigned, or transferred.

~~A~~ Except as provided in subsection (2)(a), a person; other than the landowner apiary site registrant; may not exercise any rights or privileges, directly or indirectly, authorized by the certificate of registration.

~~(3)(4)~~ The department shall attempt to notify any general apiarist with registered apiary sites located within 3 miles of a proposed landowner apiary site of the potential location of the landowner apiary site.

~~(4)(5)~~ When a landowner apiary business changes to a general apiary business, the landowner apiary sites established and registered with the department as landowner apiary sites under the department's rules in effect prior to July 1, 2009, remain valid regardless of location with regard to other apiary sites, including general apiary sites within 3 miles, as long as the registration of the landowner apiary sites has not been forfeited or abandoned pursuant to 80-6-102 or 80-6-104."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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