

2025 Natural Resources legislation summary

MAY 12, 2025

This is an overview of natural resources-related legislation, excluding budget provisions, line-item appropriations for various grant and loan programs, subdivision laws, and legislative resolutions.¹ Bills listed include the general areas of energy, environmental protection, wildfire protection, fish and wildlife, forestry, mining, oil and gas, recreation, state lands, and water. Also included are sections on agency-proposed legislation, interim committee studies, and bills that were passed but vetoed. This list is not exhaustive. More information is available at bills.legmt.gov.

INTERIM COMMITTEE BILLS AND DUTIES

ENVIRONMENTAL QUALITY COUNCIL

HB70 requires a study of state fire suppression issues, methods and costs.

ENERGY AND TELECOMMUNICATIONS INTERIM COMMITTEE

HB55 requires an independent evaluator to oversee a public utility's competitive solicitation

WATER POLICY INTERIM COMMITTEE

HB 74 revises private fish pond and commercial take laws and repeals paddlefish caviar sales.

SB 55 provides for legislative intent regarding streamflow information.

SB 61 provides policy considerations for measuring streamflow.

BILLS BY SUBJECT AREA:

ENERGY

HB 424 extends the timeline in which a data center property must be built and provides a tax incentive for a data center property that supplies its own energy generation.

HB 623 provides for legislative approval of the siting of spent nuclear fuel storage facilities.

HB 696 provides for legislative approval of the siting of uranium conversion and enrichment facilities.

HB 760 establishes solar consumer protection laws and provides customer rescission rights.

¹ These include HB 6 (renewable resource grants), HB 7 (reclamation and development grants), HB 8 (renewable resource bonds and loans), HB11 (Montana coal endowment program)

HB 939 provides a required setback and deicing requirement for wind turbine generators constructed on or after January 1, 2026.

SB 301 allows the Public Service Commission to grant a public utility a certificate of public convenience and necessity for electric transmission facility construction.

SB 355 allows for a competitive bidding process for the construction of new electric transmission line projects.

ENVIRONMENTAL REMEDIATION, MEPA

HB 270 revises remedies for challenges under Montana Environmental Policy Act, including allowing a court to remand analysis to an agency.

HB 285 revises policy, purpose, intent, venue, procedures, and constitutional considerations of MEPA.

HB 291 removes department rulemaking authority for more stringent air pollutant emission standards than established in Clean Air Act. Also prohibits local air pollution control programs to be more stringent than the act.

HB 466 creates categorical exclusions from MEPA and exempts certain construction/maintenance on state land.

HB 703 exempts Department of Environmental Quality, Department of Labor and Industry, and local building departments from including a greenhouse gas analysis of appliances, vehicles, and certain engines as part of a MEPA review.

HB 808 creates the Montana Brownfields Revitalization Act by expanding existing programs for cleanup of petroleum and hazardous substances.

SB 168 limits regulatory actions against a property owner with a structure within a lakeshore protection zone to 3 years.

SB 221 provides for a greenhouse gas assessment when conducting a MEPA review.

SR 14 requests Congress to include Montanans in the Radiation Exposure Compensation Act for “downwind” states.

FORESTRY AND WILDFIRES

HB 130 declares the DNRC has a duty to suppress fires regardless of land ownership within 5 miles of department or county wildland firefighting resources.

HB 421 increases landowner fees for DNRC wildland fire protection.

HB 876 appropriates \$6 million for loans to revitalize a closed sawmill and return it to commercial operation.

HUNTING AND FISHING

HB 145 increases nonresident base hunting license fees from \$15 to \$50, of which \$40 is used to fund hunting access programs.

HB 146 creates application fees for sandhill cranes and swans for residents and nonresidents.

HB 175 requires FWP to publish an annual public report on hunting data for each hunting district, with a focus on resident and nonresident hunting pressure.

HB 219 allows a person, firm, or club to provide reimbursements for costs incurred by persons who lawfully harvest wolves.

HB 244 allows a member of the armed forces who forfeits a license or permit issued through a drawing due to deployment to receive the same license without additional fees if that person was deployed for at least two months outside of the state.

HB 259 requires the Fish and Wildlife Commission to use different management techniques for wolves in each administrative region and allows for the use of additional tags, bait, night hunting using artificial light and certain optics, and increased harvest numbers.

HB 264 prevents the release of wildlife location data or telemetry frequencies by FWP with certain exceptions.

HB 307 allows a person who donates a license to a disabled veteran or armed service member to choose which nonprofit organization will allocate their donated license, and it prevents a disabled veteran or armed service member from receiving a donated license if they had one the previous calendar year.

HB 328 allows resident hunters who are 75 years of age or older to use a general elk license to harvest an antlerless elk on private land in hunting districts where youth under 15 years of age may harvest an antlerless elk.

HB 330 creates an annual auction or lottery for one antelope license and one swan license.

HB 354 requires that a person must be subject to the revocation of their hunting, trapping, or fishing privileges for up to two years if they are convicted of criminal trespass with intent to hunt, trap, fish, or collect antlers or sheds.

HB 372 increases fee amounts of certain licenses, a portion of which are used to fund the upland game bird enhancement program.

HB 450 requires an applicant for a bird hunting dog training license to report the number of dogs to be trained on the application.

HB 554 removes the requirement that FWP regulate wolves as game animals or furbearers after determining the animals no longer need protection as a species in need of management.

HB 568 requires FWP to study nonresident hunting impacts on deer, elk, upland game birds, and waterfowl in the state and to complete a publicly accessible report by December 1, 2026.

HB 648 revises notification requirements to local and tribal governments related to the relocation and release of large predators.

HB 763 allows agreements that provide public access to adjacent public lands to be included in the block management program.

HB 817 allows for the issuing of a free, one-time only deer, elk, or antelope license to a youth with a life-threatening illness.

HB 855 creates an account to fund the construction of big game and wildlife highway crossings and provides for a special license plate sponsored by FWP that will generate funds to be deposited into the account.

HB 897 requires nonresidents to purchase a license that authorizes them to shed hunt in wildlife management areas and requires that residents be allowed to shed hunt in wildlife management areas seven days before nonresidents.

SB 106 revises laws related to the use of manned and unmanned aircraft while seeking to herd or drive animals that are damaging property or crops or while locating or hunting certain animals.

SB 148 allows a landowner who receives a license through a block management program to donate the license to a person with a disability.

SB 235 requires that those receiving certain landowner preference licenses own land used by elk, eliminating the allowance that the land can be under contract.

SB 441 creates the Montana block management enforcement network to assist landowners enrolled in the block management program with enforcing compliance by hunters in relation to the landowner's rules and Montana laws.

SB 514 allows residents hunting for certain upland birds on certain properties to begin hunting ten days prior to nonresidents.

INTERIM STUDIES

HJ 44 requests a study of endocrine-disrupting chemicals and water quality.

HJ 62 requests a study of wildfire prevention and resilience, including the impacts of fire on communities, fire-focused land use planning, and solutions to alleviate risk.

HJ 74 requests a study to analyze water re-use in the state.

SJ 12 requests a study to analyze the economic impact on Montana citizens and industry due to observed congestion and curtailments of transmission pathways.

SJ 21 requests a study to evaluate potential benefits, legal considerations, and implementation strategies of an interstate compact to promote interstate power grid development.

HB 70 requires a study of state fire suppression issues, methods, and costs. Includes a \$50,000 appropriation.

MINING AND MINERALS, MINE PERMITTING

HB 368 allocates up to \$2 million a year in coal severance taxes to the town of Colstrip to ensure water supply to town if coal-fired generating unit closes or retires.

HB 587 revises definition of “material damage” to the hydrologic balance at a mine site.

HB 616 allows predictive modeling to demonstrate compliance for release of reclamation bond or reclamation plan compliance.

HB 633 revises requirements for cumulative hydrologic impact assessment for a strip or underground mine.

HB 699 adjusts the membership, qualifications, and duties of independent review panel members for metal mine tailings impoundments.

HB 717 revises how a mining operation is transferred to a successor operator, including agency ability to transfer a suspended permit via eminent domain procedures.

SB 365 revises design capacity for siltation structures at a strip or underground mine.

SB 368 allows a strip or underground mine operator to fix a “minor maintenance item” within 14 days, avoiding permit noncompliance.

SB 520 provides mine leases on state lands of at least 10 years, as long as the minerals are mined in commercial quantities.

OIL AND GAS

HB 189 expands eligibility for use of petroleum storage tank cleanup funds.

SB 315 allows reimbursement to an owner/operator for protective, preventative measures on a petroleum storage tank.

PUBLIC LANDS

RECREATION, PARKS, SPORTS

HB 242 increases fine amounts for negligent violations of laws related to invasive species management.

SB 165 requires an individual who rents a snowmobile or motorized equipment from a rental business to pay a \$5 trail enhancement fee to the vendor to be used for trail grooming and maintenance costs.

SB 257 increases the amount of a nonresident bonus point for the Smith River from \$50 to \$125.

SB 310 revises the trail stewardship grant program, including types of allowable projects and the allocation of grant funds.

WATER

HB 180 revises sanitation in subdivision laws related to mixing zones to prohibit a local board of health from adopting regulations allowing mixing zones that encroach on adjacent property.

HB 355 clarifies that related easements rights are retained when canal or ditch is converted to a pipeline.

HB 368 provides access to water for an attendant city or town and creating the town of Colstrip Water Infrastructure Mitigation Account. (Vetoed, veto override passed)

HB 432 allows an appropriator to change an appropriation right without prior department approval for the purpose of constructing a redundant or replacement water supply well or for a replacement point of diversion.

HB 441 aligns provisional water rights with final decrees and clarifies the process for post-decree petitions to reduce, modify or revoke permits.

HB 534 allows county water/sewer districts to connect to a public water or wastewater system beyond its rated capacity if authorized by an approved development plan.

HB 580 clarifies water right abandonment laws to address a reduction in use or the nonuse of an appropriation right during periods of drought.

HB 629 requires a county or municipal water or wastewater system to accept a proposed subdivision's request for connection if the subdivision is within 501 to 1,000 feet from any component of the public system if other requirements are met.

HB 664 repeals numeric nutrient standards for Montana water quality standards and eliminates the nutrient working group.

HB 681 revises subdivision review criteria involving the availability of water and clarifies the definition of water right.

HB 684 extends the deadline for water quality data review by the Department of Environmental Quality from 60 day to 180 days from submittal.

HB 685 provides a feasibility allowance to meet the water quality nondegradation policy.

HB 736 provides that a point source discharger may receive nutrient pollutant loading offsets and trading credits to satisfy permitting requirements.

HB 775 repeals the sunset date of laws regarding judicial review of water rights and authorizes the water court to review certain decisions of the Department of Natural Resources and Conservation.

HB 923 allows a wastewater discharge that meets other criteria in rule to not be required to submit a nitrogen sample if ground water cannot be sampled.

HB 935 requires a study to be conducted by the Montana Bureau of Mines and Geology of suspension or closure of new ground water appropriations in the Fox Hills-Hell Creek Aquifer.

SB 161 provides for the regulation and sale of aquatic organisms under controlled conditions, such as fish, shellfish, and aquatic plants.

SB 178 provides for the temporary lease of water rights.

SB 190 allows water right holders to consent to waive adverse effects analysis in water right permit or change applications.

SB 262 exempts the review of certain subdivision applications and water or sewer plans from environmental review.

SB 357 extends the perfection deadline for certain Missouri River water reservations above Fort Peck Dam.

DEPARTMENT BILLS

DEPARTMENT OF ENVIRONMENTAL QUALITY

HB 26 repeals the Mercury Thermostat Collection Act.

HB 31 requires wind generation and solar facility owners to submit a decommissioning bond to the department prior to the conclusion of the 12th year of operation.

HB 40 provides for a special revenue account for review of public water supply or public sewage system plans and specifications.

HB 47 removes the department's authority to issue energy conservation program bonds and allows the department to set an annual interest rate for projects.

HB 58 provides \$500,000 a year through 2038 for water treatment at the CR Kendall mine reclamation site in the N. Moccasin Mountains. Also extends funding of Libby Asbestos Superfund site cleanup.

HB 64 replaces Montana Clean Air Act advisory group (Small Business Compliance Assistance Advisory Council) by expanding duties of small business stationary source representative.

HB 69 increases fees for hard rock, rock products and small miners under the Metal Mine Reclamation Act, and creates fees for exploration licenses, permit applications, annual fees, and amendments.

DEPARTMENT OF FISH, WILDLIFE AND PARKS

HB 95 allows for the issuance of permits for beaver or muskrat that destroy rural or urban structures.

HB 96 redefines FWP's previous apprentice hunting program as an apprentice program that can include both hunting and trapping privileges.

HB 98 allows a person to possess a valid and unused electronically issued license of their spouse or minor child but requires that the license holder validate the license.

HB 105 revises application procedures, license fees, expiration dates, and record keeping for game bird farms.

HB 106 revises locations, posting and signage requirements, license fees and expiration dates, and rules around harvested animals and shooting limitations for shooting preserves.

HB 107 revises laws related to commercial activities regulated by FWP, including license expiration dates, recordkeeping, and fees.

SB 83 requires the Fish and Wildlife commission to adopt the rules of individual landowners governing the public use of each landowner's property enrolled in a public access program managed by FWP.

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

HB 48 exempts wastewater ponds from Dam Safety Act and DNRC regulation.

HB 59 revises water well contractor laws, including complaint and investigation procedures.

SB 76 revises laws related to preliminary determinations for a water right permit or change in appropriation right application.

HB 79 exempts small-scale activity of two log truck loads from a fire hazard reduction agreement.

HB 80 allows cash bids for agricultural leases on state lands; replaces cropshare leases.

HB 84 allows DNRC to create a prescribed fire manager certification program, protecting a certified burner from liability for an escaped prescribed fire that is deemed not negligent. The department will also study development of a prescribed fire claims fund.

PUBLIC SERVICE COMMISSION

HB 45 eliminates commission regulation of rates and charges of regulated telecommunication services.

SB 22 extends timelines for hearings on an application for a motor carrier certificate.

SB 23 allows the commission to adopt rules to set reporting thresholds for rail accidents.

SB 51 provides commission rulemaking authority regarding the registration of telecommunication providers.

VETOED BILLS

HB 202 revised laws related to the unlawful use of aircraft for locating or hunting certain animals.

HB 283 allowed the Fish and Wildlife commission to choose either a lottery or an auction to issue one mountain sheep license and one Shiras moose license.

HB 477 phased out polystyrene single-use food containers.

HB 676 prohibited the Board of Land Commissioners from obtaining ownership of a private water right used on state lands.

HB 762 required FWP to study and publish a biennial river usage report on certain waterways using fees from the state park account.

SB 188 created shared solar facilities, including subscribing customers and requirements for utilities

SB 472 revised civil penalties under the Natural Streambed and Land Preservation Act of 1975 (310 permit process) and removes the cap on the maximum civil penalty that may be imposed.