

**BUSINESS & LABOR**

EXHIBIT NO. 7  
DATE 3/22/05  
BILL NO. HB 732

Date: March 21, 2005

To: Interested parties

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Client: DeHart and Darr on behalf of  
Direct Marketing

Re: HB 732

Direct Marketing supports the amendments to HB 732 as set out in the Montana Chamber of Commerce's 3/19/05 proposed amendments to the bill but requests the addition of the "opt-out" language which was contained in section 8(3)(b) of the introduced version of HB 732. DMA requests that subsection be amended back into the bill.

The following language is verbatim the language of section 8(b)(3) of the introduced version of HB 732. In the current version of the grey bill it would appear as new subsection 6 to new section 7.

6. A business that is required to comply with this section adopts and discloses to the public, in its privacy policy, a policy of not disclosing personal information of customers to third parties for the third parties' direct marketing purposes unless the customer first affirmatively agrees to that disclosure or of not disclosing the personal information of customers to third parties for the third parties' direct marketing purposes if the customer has exercised an option that prevents that information from being disclosed to third parties for those purposes, as long as the business maintains and discloses the policies, the business may comply with section by notifying the customer of the right to prevent disclosure of personal information and providing the customer with a cost-free means to exercise that right.

Rationale: This language comes directly out of the California statute which is being used as the model for this bill. This language requires a business to notify a consumer of its policy with respect to the disclosure of personal information of customers to third parties and allows the customer to prevent the disclosure of personal information to third parties at no expense to the customer.