

1 SENATE BILL NO. 178

2 INTRODUCED BY T. MURPHY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE YEAR-ROUND OBSERVANCE OF
5 MOUNTAIN STANDARD TIME THROUGHOUT THE ENTIRE STATE OF MONTANA, INCLUDING ALL
6 POLITICAL SUBDIVISIONS; EXEMPTING THE STATE FROM OBSERVANCE OF DAYLIGHT SAVING TIME;
7 PROVIDING THAT THE PROPOSED ACT BE SUBMITTED TO THE QUALIFIED ELECTORS OF MONTANA;
8 AMENDING SECTION 30-14-1729, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

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12 NEW SECTION. **Section 1. Standard time -- year-round observance.** The entire state of Montana,
13 including all political subdivisions, shall observe mountain standard time year-round, as permitted by 15 U.S.C.
14 260a(a)(1), which allows the state to be exempted from observance of daylight saving time.

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16 **Section 2.** Section 30-14-1729, MCA, is amended to read:

17 **"30-14-1729. Temporary lifting of security freeze -- consumer requirements -- consumer reporting**
18 **agency duties -- notification.** (1) A consumer who wishes to allow access to the consumer's own credit report
19 by a specific party or for a specific period of time while a security freeze is in place shall contact each consumer
20 reporting agency, using a point of contact designated by the consumer reporting agency by regular or certified
21 mail, telephone, or a secure electronic connection, request that the security freeze be temporarily lifted, and
22 provide all of the following:

23 (a) proper identification;

24 (b) the unique personal identification number, password, or device provided by the consumer reporting
25 agency pursuant to 30-14-1728(3);26 (c) the proper information regarding the third party who is to receive the credit report or the time period
27 for which the credit report is to be available to users of the credit report; and

28 (d) a fee, if applicable.

29 (2) (a) Except as provided in subsection (2)(b), a consumer reporting agency that receives a request
30 from a consumer to temporarily lift a security freeze on a credit report as provided in subsection (1) shall comply

1 with the request no later than 3 business days after receiving the request.

2 (b) ~~By no later than January 31, 2009, a~~ A consumer reporting agency shall honor a request for the
3 temporary lifting of a security freeze made by telephone or through a secure electronic connection designated
4 by the consumer reporting agency within 15 minutes of receiving the request unless one of the following
5 circumstances applies:

6 (i) the consumer fails to meet the requirements of subsections (1)(a) through (1)(c); or

7 (ii) the consumer reporting agency's ability to remove the security freeze within 15 minutes is prevented
8 by:

9 (A) a natural disaster or act of God, including fire, earthquake, or hurricane;

10 (B) unauthorized or illegal acts by a third party, including terrorism, sabotage, riot, vandalism, or a labor
11 strike or similar labor dispute disrupting operations;

12 (C) operational interruption, including electrical failure, unanticipated delay in equipment or replacement
13 part delivery, or computer hardware or software failures inhibiting response time;

14 (D) governmental action, including emergency orders or regulations or judicial or law enforcement action;

15 (E) receipt of a removal request outside of normal business hours; or

16 (F) maintenance of, updates to, or repair of the consumer reporting agency's systems, whether regularly
17 scheduled or unexpected or unscheduled.

18 (c) For the purposes of this section, "normal business hours" means from 6 a.m. to 9:30 p.m., mountain
19 standard time ~~or mountain daylight time~~, 7 days a week, excluding holidays.

20 (3) A consumer reporting agency shall:

21 (a) designate the contact address and telephone number along with a telefax number or appropriate
22 electronic access address when providing the unique personal identification number, password, or other device
23 as provided in 30-14-1728(3); and

24 (b) develop procedures to implement this section ~~by January 31, 2009~~, involving the use of telephone,
25 telefax, or electronic connection, using a process for legally required notices provided for in the Electronic
26 Signatures in Global and National Commerce Act, 15 U.S.C. 7001.

27 (4) Only the attorney general may enforce the provisions of this section related to a failure to comply with
28 the 15-minute requirement for the temporary lifting of a security freeze."

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30 NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an

1 integral part of Title 1, chapter 1, part 3, and the provisions of Title 1, chapter 1, part 3, apply to [section 1].

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3 NEW SECTION. **Section 4. Effective date.** [This act] is effective upon approval by the electorate.

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5 NEW SECTION. **Section 5. Submission to electorate.** [This act] shall be submitted to the qualified
6 electors of Montana at the general election to be held in November 2012 by printing on the ballot the full title of
7 [this act] and the following:

8 FOR the year-round observance of mountain standard time throughout the state.

9 AGAINST the year-round observance of mountain standard time throughout the state.

10 - END -