

Amendments to Senate Bill No. 295  
1st Reading Copy

Requested by Senator Christine Kaufmann

For the Senate Taxation Committee

Prepared by Lee Heiman  
March 7, 2011 (3:27pm)

1. Title, page 1, line 9.

**Following:** "DESCRIPTION;"

**Insert:** "ALLOWING PARTIAL DISCLOSURE OF CERTAIN REAL ESTATE SALES  
SUBJECT TO THE REALTY TRANSFER CERTIFICATE;"

2. Title, page 1, line 11.

**Following:** "15-7-102"

**Insert:** ", 15-7-308,"

3. Page 4, line 3.

**Insert:** "Section 2. Section 15-7-308, MCA, is amended to read:

"15-7-308. Disclosure of information restricted --  
exceptions. (1) Except as provided in subsection (2), the  
certificate required by this part and the information contained  
in the certificate is not a public record and must be held  
confidential by the county clerk and recorder and the department.  
This is because the legislature finds that the demands of  
individual privacy outweigh the merits of public disclosure. The  
confidentiality provisions do not apply to compilations from the  
certificates or to summaries, analyses, and evaluations based  
upon the compilations.

(2) The confidentiality provisions of this section do not  
apply to:

(a) the information contained in the water right ownership  
update form or any other form prepared and filed with the  
department of natural resources and conservation pursuant to  
85-2-424 for purposes of maintaining a system of centralized  
water right records as mandated by Article IX, section 3(4), of  
the Montana constitution. A person may access water right  
transfer information through the department of natural resources  
and conservation pursuant to the department's implementation of  
the requirements of 85-2-112(3).

(b) the property address, the legal property description,  
and the actual sales price listed on the realty transfer  
certificate for class four residential and commercial property as  
described in 15-6-134(1)(e) through (1)(g)."

{Internal References to 15-7-308: None.}

**Renumber:** subsequent section

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