

HOUSE JOINT RESOLUTION NO. 23

INTRODUCED BY B. BENNETT

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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THAT AN APPROPRIATE INTERIM COMMITTEE STUDY PERSONAL PRIVACY CONCERNS RELATED TO ELECTRONIC DISCLOSURE OF PERSONAL INFORMATION AND MAKE RECOMMENDATIONS FOR SECURING THIS PERSONAL INFORMATION AND THE PRIVACY RIGHTS OF MONTANANS.

WHEREAS, all Montanans have a right of privacy protected by Article II, section 10, of the Montana Constitution, which states that the "right of individual privacy is essential to the well-being of a free society and shall not be infringed without the showing of a compelling state interest"; and

WHEREAS, the increasing use of sophisticated types of information technology has increased electronic disclosure of personal information and magnified the potential risk to individual privacy; and

WHEREAS, to protect the privacy of Montanans, the electronic disclosure of personal information may need to be limited.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

- (1) analyze the effects of advances in technology on electronic disclosure and how they impact personal privacy;
- (2) consider ways to uphold Montanans' constitutional right to privacy while balancing the interests of businesses and governmental agencies related to electronic disclosure;
- (3) review existing laws related to electronic disclosure of personal information; and
- (4) research and evaluate methods for enabling citizens to protect their personal information from electronic disclosure.

BE IT FURTHER RESOLVED, that the committee consider the knowledge and advice of:

- (1) state agencies that deal with the electronic disclosure of personal information;



