

1 HOUSE BILL NO. 966
2 INTRODUCED BY K. SULLIVAN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING DISCLOSURE FOR COMMERCIAL AGRICULTURAL
5 DATA COLLECTION; REQUIRING OPT-OUT PROCEDURES; REQUIRING THE SUBMISSION OF
6 AGGREGATED AGRICULTURAL DATA FOR COMMERCIAL PURPOSES; ASSESSING A SUBMISSION
7 FEE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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11 NEW SECTION. **Section 1. Agricultural data collection -- disclosures -- opt-out procedures.** (1)

12 A person or entity engaged in a business involving, or as part of a business participating in, the buying,
13 brokering, exchanging, negotiating, or soliciting the sale, resale, exchange, bailment, or transfer of any
14 agricultural data collected in the state shall:

15 (a) provide disclosure in the company's terms of agreement to affected customers that includes the
16 nature and purpose of the data collection; and

17 (b) allow affected customers to opt out of any data collection procedures that result in the
18 commercial sale, resale, exchange, bailment, or transfer of the customers' data.

19 (2) This section does not apply to a person or entity's data collection for the purposes of
20 developing or maintaining machinery or equipment that does not sell, resell, exchange, or transfer the data to
21 another person or entity.

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23 NEW SECTION. **Section 2. Aggregated agricultural data requirements.** (1) A person or entity
24 engaged in a business involving, or as part of a business participating in, the buying, brokering, exchanging,
25 negotiating, or soliciting the sale, resale, exchange, bailment, or transfer of any aggregated agricultural data
26 collected in the state shall provide the collected data sets to the department 1 year after the data is
27 commercially viable.

28 (2) The person or entity shall pay a \$25 filing fee with the submission of the data.

