

HOUSE BILL NO. 235
INTRODUCED BY J. COHENOUR

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW ON THE SHARING OF INFORMATION BY STATE AGENCIES; PROVIDING THAT UNLESS SPECIFICALLY PROHIBITED BY LAW, A STATE AGENCY THAT POSSESSES INFORMATION THAT WOULD ASSIST ANOTHER STATE AGENCY IN PERFORMING A FUNCTION OR DUTY SHALL TRANSMIT THE INFORMATION TO THE OTHER STATE AGENCY; REQUIRING THE RECEIVING AGENCY TO MAINTAIN THE CONFIDENTIALITY OF INFORMATION; REQUIRING THE ATTORNEY GENERAL TO ADOPT GUIDELINES FOR SHARING INFORMATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Release of information to other state agencies -- maintenance of confidentiality -- guidelines. (1) All state agencies shall assist other state agencies in performing their respective functions and duties. Unless specifically prohibited by law, a state agency that possesses information that would assist another state agency in performing a function or duty shall transmit the information to the other state agency. A state agency that receives information designated as confidential shall maintain the confidentiality of the information, but may use the information in performing a statutory function or duty.

(2) The attorney general shall prepare guidelines to assist agencies in determining the types of information that are available to be shared by agencies and methods for identifying confidential information.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 2, chapter 6, part 1, and the provisions of Title 2, chapter 6, part 1, apply to [section 1].

NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

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