

HOUSE BILL NO. 675
INTRODUCED BY C. JUNEAU

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING A GROCERY STORE OR SUPERMARKET FROM SELLING OR DISTRIBUTING A CUSTOMER LIST BASED ON CUSTOMERS HAVING MEMBER DISCOUNT CARDS WITH THE GROCERY STORE OR SUPERMARKET UNLESS THE CUSTOMER CONSENTS IN WRITING TO BEING PLACED ON THE LIST; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

NEW SECTION. **Section 1. Use of customer lists by grocery stores and supermarkets.** (1) (a) A grocery store or supermarket that provides a membership card to a customer that entitles that customer to a discount on items sold by the grocery store or supermarket that other members of the public without a membership card are not entitled to may not compile a customer list using the names of customers with membership cards and sell or distribute that list of names of customers to any other person or entity unless the grocery store or supermarket has obtained the written permission of each customer whose name appears on the list being sold or distributed.

(b) A grocery store or supermarket shall obtain a customer's written consent to being placed on a customer list that may be sold or distributed at the time that the customer applies for the membership card.

(2) A grocery store or supermarket that violates the provisions of subsection (1) also violates the provisions of 30-14-104 and is subject to the penalty provisions of Title 30, chapter 14, part 1.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 30, chapter 11, part 3, and the provisions of Title 30, chapter 11, part 3, apply to [section 1].

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

NEW SECTION. **Section 4. Applicability.** [This act] applies to customer discount cards issued by grocery stores or supermarkets on or after [the effective date of this act].

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