

## 1 SENATE BILL NO. 22

2 INTRODUCED BY J. ESSMANN

3 BY REQUEST OF THE REVENUE AND TRANSPORTATION INTERIM COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING FOR PUBLIC DISCLOSURE OF CERTAIN  
6 INFORMATION CONTAINED IN REALTY TRANSFER CERTIFICATES FOR CLASS FOUR COMMERCIAL  
7 PROPERTY; AND AMENDING SECTION 15-7-308, MCA."

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

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11 **Section 1.** Section 15-7-308, MCA, is amended to read:

12 **"15-7-308. Disclosure of information restricted -- exceptions.** (1) Except as provided in subsection  
13 (2), the certificate required by this part and the information contained in the certificate is not a public record and  
14 must be held confidential by the county clerk and recorder and the department. This is because the legislature  
15 finds that the demands of individual privacy outweigh the merits of public disclosure. The confidentiality provisions  
16 do not apply to compilations from the certificates or to summaries, analyses, and evaluations based upon the  
17 compilations.

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

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

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

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