A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING NET NEUTRALITY; PROVIDING A PENALTY; PROVIDING THE PUBLIC SERVICE COMMISSION RULEMAKING AUTHORITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Net neutrality -- requirements. (1) Internet service providers may not, with respect to any consumer in Montana:

(a) block lawful content, applications, services, or nonharmful devices, subject to reasonable network management that is disclosed to the consumer;

(b) throttle, impair, or degrade lawful internet traffic on the basis of internet content, application, or service, or use of a nonharmful device, subject to reasonable network management that is disclosed to the consumer;

(c) engage in paid prioritization; or

(d) unreasonably interfere with or unreasonably disadvantage:

(i) end users' ability to select, access, and use broadband internet access service or the lawful internet content, applications, services, or devices of their choice; or

(ii) edge providers' ability to make lawful content, applications, services, or devices available to end users.

(2) The commission may assess a penalty of $500 to an internet service provider who violates this section.

NEW SECTION. Section 2. Commission authority -- rulemaking. (1) The commission has the authority to generally implement and enforce the provisions of [sections 1 and 2].

(2) The commission may adopt rules to implement the provisions of [sections 1 and 2].

NEW SECTION. Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified as an integral part of Title 69, chapter 3, part 8, and the provisions of Title 69, chapter 3, part 8, apply to [sections
1 1 and 2].

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3 NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

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