

SENATE BILL NO. 355

INTRODUCED BY B. BENNETT

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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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