

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING DISTRIBUTION LISTS OF REGISTERED
5 APPRENTICES TO BE DISSEMINATED; AMENDING SECTION 2-6-1017, MCA; AND PROVIDING AN
6 IMMEDIATE EFFECTIVE DATE."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9
10 **Section 1.** Section 2-6-1017, MCA, is amended to read:

11 **"2-6-1017. Prohibition on dissemination or use of distribution lists -- exceptions -- penalties. (1)**

12 Except as provided in subsections (3) through (10), to protect the privacy of those who deal with state and local
13 government:

14 (a) a public agency may not distribute or sell a distribution list without first securing the permission of
15 those on the list; and

16 (b) a list of persons prepared by a public agency may not be used as a distribution list except by the
17 public agency or another public agency without first securing the permission of those on the list.

18 (2) As used in this section, "distribution list" means any list of personal contact information collected
19 by a public agency and used to facilitate unsolicited contact with individuals on the distribution list.

20 (3) This section does not prevent an individual from compiling a distribution list by examination of
21 records that are otherwise open to public inspection.

22 (4) This section does not apply to the lists of:

23 (a) registered electors and the new voter lists provided for in 13-2-115;

24 (b) the names of employees governed by Title 39, chapter 31;

25 (c) persons holding driver's licenses or Montana identification cards provided for under 61-5-127;

26 (d) persons holding professional or occupational licenses governed by Title 37, chapters 1 through 4,

27 6 through 20, 22 through 29, 31, 34 through 36, 40, 47, 48, 50, 51, 53, 54, 60, 65 through 69, 72, and 73, and

28 Title 50, chapters 39, 72, 74, and 76; ~~or~~

1 (e) persons certified as claims examiners under 39-71-320; or-

2 (f) persons registered as apprentices or apprenticeship sponsors pursuant to Title 39, chapter 6.

3 (5) This section does not prevent an agency from providing a list to persons providing prelicensing or
4 continuing education courses subject to state law or subject to Title 33, chapter 17.

5 (6) This section does not apply to the right of access by Montana law enforcement agencies.

6 (7) This section does not apply to the secretary of state's electronic filing system developed pursuant
7 to 2-15-404 and containing corporate and uniform commercial code information.

8 (8) This section does not apply to the use by the public employees' retirement board of a list of board-
9 administered retirement system participants to send materials on behalf of a retiree organization formed for
10 board-administered retirement system participants and with tax-exempt status under section 501(c)(4) of the
11 Internal Revenue Code, as amended, for a fee determined by rules of the board, provided that the list is not
12 released to the organization.

13 (9) This section does not apply to lists of individuals who sign attendance sheets or sign-in sheets at a
14 hearing or meeting of a public agency.

15 (10) This section does not apply to a public school providing lists of graduating students to
16 representatives of the armed forces of the United States or to the national guard for the purposes of
17 recruitment.

18 (11) A person violating the provisions of subsection (1)(b) is guilty of a misdemeanor."
19

20 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

21 - END -