

1 HOUSE BILL NO. 422

2 INTRODUCED BY K. KORTUM

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING MUNICIPALITIES TO OWN AND OPERATE
5 MUNICIPAL BROADBAND SYSTEMS; AMENDING SECTION 30-14-1702, MCA; REPEALING SECTIONS 2-
6 17-601, 2-17-602, 2-17-603, AND 2-17-604, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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10 **Section 1.** Section 30-14-1702, MCA, is amended to read:

11 **"30-14-1702. Definitions.** As used in 30-14-1701 through 30-14-1705, 30-14-1712, and 30-14-1713,
12 unless the context requires otherwise, the following definitions apply:

13 (1) (a) "Business" means a sole proprietorship, partnership, corporation, association, or other group,
14 however organized and whether or not organized to operate at a profit, including a financial institution
15 organized, chartered, or holding a license or authorization certificate under the law of this state, any other state,
16 the United States, or any other country or the parent or the subsidiary of a financial institution. The term
17 includes an entity that destroys records. The term also includes industries regulated by the public service
18 commission or under Title 30, chapter 10.

19 (b) The term does not include industries regulated under Title 33.

20 (2) "Customer" means an individual who provides personal information to a business for the purpose
21 of purchasing or leasing a product or obtaining a service from the business.

22 (3) "Electronic mail message" means a message sent to a unique destination, commonly expressed
23 as a string of characters, consisting of a unique user name or electronic mailbox and a reference to an internet
24 domain, whether or not displayed, to which an electronic message can be sent or delivered.

25 (4) "Individual" means a natural person.

26 (5) "Internet" has the meaning provided in 2-17-551.

27 (6) "Internet services provider" means a person or an entity that provides a service, available to the
28 public, that enables the person's or entity's customers to access the internet, purchase internet server or file-

1 ~~hosting services, collocate internet equipment, or use data transmission over the internet for a fee has the~~
 2 ~~meaning provided in 2-17-602.~~

3 (7) "Personal information" means an individual's name, signature, address, or telephone number, in
 4 combination with one or more additional pieces of information about the individual, consisting of the individual's
 5 passport number, driver's license or state identification number, insurance policy number, bank account
 6 number, credit card number, debit card number, passwords or personal identification numbers required to
 7 obtain access to the individual's finances, or any other financial information as provided by rule. A social
 8 security number, in and of itself, constitutes personal information.

9 (8) (a) "Records" means any material, regardless of the physical form, on which personal information
 10 is recorded.

11 (b) The term does not include publicly available directories containing personal information that an
 12 individual has voluntarily consented to have publicly disseminated or listed, such as name, address, or
 13 telephone number.

14 (9) "Website" means an electronic location that has a single uniform resource locator or other single
 15 location with respect to the internet."
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17 **NEW SECTION. Section 2. Repealer.** The following sections of the Montana Code Annotated are
 18 repealed:

19 2-17-601. Statement of purpose -- policy.

20 2-17-602. Definitions.

21 2-17-603. Government competition with private internet services providers prohibited -- exceptions.

22 2-17-604. Alternatives to public internet services providers.
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24 **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

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