

SENATE BILL NO. 242

INTRODUCED BY B. BENNETT

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE SALE OF LOCATION DATA ON SATELLITE NAVIGATION TECHNOLOGY-EQUIPPED DEVICES; PROVIDING AN OPT-IN OPTION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Prohibiting sale of location data recorded or collected by personal communications devices. (1) A person or entity may not sell or offer for sale location data that is recorded or collected from a customer's personal communications device without the explicit consent of the individual who is the primary user of the device. A parent or legal guardian shall provide consent for primary users under 18 years of age.

(2) A person or entity that sells or offers for sale location data that is recorded or collected from a customer shall provide an initial notice of its practices separate from any regular terms and conditions and require that a consumer actively affirms reading and agreeing to the terms of the notice.

(3) As used in this section, "personal communications device" means an electronic device that enables access to or use of communication services, remote computing services, or location information services.

NEW SECTION. Section 2. Codification instruction. [Section 1] is 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 [section 1].

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

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