

## 1 SENATE BILL NO. 242

2 INTRODUCED BY B. BENNETT, P. FLOWERS, K. SULLIVAN, M. BLASDEL, K. BOGNER, B. BROWN, J.  
 3 COHENOUR, C. FRIEDEL, G. HERTZ, T. JACOBSON, D. KARY, R. LYNCH, K. REGIER, M. BINKLEY, P.  
 4 FIELDER, G. FRAZER, E. KERR-CARPENTER, R. KNUDSEN, B. LER, M. STROMSWOLD, J. TREBAS

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 6 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE SALE, SHARE, OR TRANSFER OF  
 7 LOCATION DATA ON SATELLITE NAVIGATION TECHNOLOGY-EQUIPPED DEVICES; PROVIDING AN  
 8 OPT-IN OPTION; AND PROVIDING AN ~~IMMEDIATE~~ A DELAYED EFFECTIVE DATE."

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

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

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

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

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

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 27 NEW SECTION. Section 3. Effective date. [This act] is effective ~~on passage and approval~~ JANUARY  
 28 1, 2022.

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