

HOUSE BILL NO. 780

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A LAW ENFORCEMENT OFFICER BILL OF RIGHTS; LIMITING WHAT INFORMATION ABOUT A LAW ENFORCEMENT OFFICER MAY BE PROVIDED TO THE NEWS MEDIA OR REQUIRED BY AN OFFICER'S EMPLOYER."

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

NEW SECTION. Section 1. Definitions. As used in [sections 1 through 3], the following definitions apply:

- (1) "Law enforcement agency" has the meaning provided in 7-32-201.
- (2) "Law enforcement officer" has the meaning provided in 7-32-201.
- (3) "Person" has the meaning provided in 1-1-201.
- (4) "State agency" means a department, board, commission, office, bureau, institution, or unit of state government recognized in the state budget.

NEW SECTION. Section 2. Limitation on release of law enforcement officer photos or personal information -- exceptions. (1) A person, state agency, or law enforcement agency may not release to the news media a law enforcement officer's home address, personal phone number, or any other personal information that may otherwise be considered confidential without the written consent of the law enforcement officer.

(2) (a) Except as provided in subsection (2)(b), a person, state agency, or law enforcement agency may not publicly release a photograph of a law enforcement officer.

(b) (i) A state agency or law enforcement agency may display a photograph of a law enforcement officer to a prospective witness as part of an agency or unit investigation or if the officer has been arrested.

(ii) A state agency or law enforcement agency may release a photograph of a law enforcement

1 officer if the law enforcement officer provides written permission.

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3 **NEW SECTION. Section 3. Limitation on certain law enforcement officer financial disclosures --**

4 **exceptions.** (1) Except as provided in subsection (2), a state agency or law enforcement agency may not  
5 request of or require of a law enforcement officer for a job assignment or other personnel action any information  
6 on the law enforcement officer's property, income, assets, source of income, debts, or personal or domestic  
7 expenditures, including those of any member of the law enforcement officer's family or household.

8 (2) A state agency or law enforcement agency may request or require the information listed in  
9 subsection (1) if the information:

10 (a) is obtained or required under state law or proper legal procedure, including but not limited to 2-  
11 2-106;

12 (b) tends to indicate a conflict of interest with respect to the performance of the law enforcement  
13 officer's duties; or

14 (c) is necessary for the law enforcement officer's employing agency to ascertain the desirability of  
15 assigning the law enforcement officer to a specialized unit in which there is a strong possibility that bribes or  
16 other improper inducements may be offered.

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18 **NEW SECTION. Section 4. Codification instruction.** [Sections 1 through 3] are intended to be  
19 codified as an integral part of Title 44, and the provisions of Title 44 apply to [sections 1 through 3].

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