A BILL FOR AN ACT ENTITLED: “AN ACT REQUIRING DISCLOSURE FOR COMMERCIAL AGRICULTURAL DATA COLLECTION; REQUIRING OPT-OUT PROCEDURES; REQUIRING THE SUBMISSION OF AGGREGATED AGRICULTURAL DATA FOR COMMERCIAL PURPOSES; ASSESSING A SUBMISSION FEE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.”

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

NEW SECTION. Section 1. Agricultural data collection -- disclosures -- opt-out procedures. (1) A person or entity engaged in a business involving, or as part of a business participating in, the buying, brokering, exchanging, negotiating, or soliciting the sale, resale, exchange, bailment, or transfer of any agricultural data collected in the state shall:

(a) provide disclosure in the company’s terms of agreement to affected customers that includes the nature and purpose of the data collection; and

(b) allow affected customers to opt out of any data collection procedures that result in the commercial sale, resale, exchange, bailment, or transfer of the customers’ data.

(2) This section does not apply to a person or entity’s data collection for the purposes of developing or maintaining machinery or equipment that does not sell, resell, exchange, or transfer the data to another person or entity.

NEW SECTION. Section 2. Aggregated agricultural data requirements. (1) A person or entity engaged in a business involving, or as part of a business participating in, the buying, brokering, exchanging, negotiating, or soliciting the sale, resale, exchange, bailment, or transfer of any aggregated agricultural data collected in the state shall provide the collected data sets to the department 1 year after the data is commercially viable.

(2) The person or entity shall pay a $25 filing fee with the submission of the data.
NEW SECTION. Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified as an integral part of Title 80, and the provisions of Title 80 apply to [sections 1 and 2].

NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

- END -