

1 SENATE BILL NO. 242

2 INTRODUCED BY B. BENNETT, P. FLOWERS, K. SULLIVAN

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

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

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

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

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

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22 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
 23 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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25 NEW SECTION. Section 3. Effective date. [This act] is effective ~~on passage and approval~~ JANUARY
 26 1, 2022.

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