

1 *Senate* BILL NO. *50*
 2 INTRODUCED BY *Turnage* STEPHENS. *McWalter* *Thurman*
 3 *Olson* *Brown*, *R. Smith* *Ronny* *Rosell*, *Jatt* *Manley*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR PUBLIC
 5 INSPECTION OF ALL RECORDS OF THE DIVISION OF WORKMEN'S *Davine*
 6 COMPENSATION BEARING UPON CLAIMS AND AWARDS; DECLARING *Ferguson*
 7 COMPELLING STATE INTEREST IN THE RIGHT TO INSPECT SUCH *Leslie*
 8 RECORDS; DECLARING THAT IN SUCH CASES THE MERITS OF PUBLIC *Stacy*
 9 DISCLOSURE EXCEED THE DEMAND OF INDIVIDUAL PRIVACY; *Smith*
 10 CONFORMING THE DIVISION OF WORKMEN'S COMPENSATION PUBLIC *Wright*
 11 DISCLOSURE REQUIREMENTS TO SECTIONS 9 AND 10 OF ARTICLE II *DeWalt*
 12 OF THE 1972 MONTANA CONSTITUTION; AMENDING SECTION 92-809, *Stinson*
 13 R.C.M. 1947; AND REPEALING SECTION 92-1348, R.C.M. 1947." *Hadden*
 14
 15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: *Manning*
 16 Section 1. Section 92-809, R.C.M. 1947, is amended to *Foster*
 17 read as follows: *Rosen*
 18 "92-809. Confidential information used, how. No *Conover*
 19 information furnished to the board division by an employer, *Boyd*
 20 a workman, or an insurer shall be open--to withheld from *Cover*
 21 public inspection,--or--made--public except on order of the *McCallister*
 22 board,--or--by--the--board--or--a--member--of--the--board,--in--the *E. Smith*
 23 course--of--a--hearing--or--proceeding,--Any--officer--or--employee *Smith*
 24 of--the--board--who,--in--violation--of--the--provisions--of--this *Murphy*
 25 section,--divulges--any--information,--shall--be--guilty--of--a *Lynch*
Robert *Norman* *Watt* *Stewart* *Cetron*
Lucy *Thurman* *Healy* *Nathans*
Ell *Stinson*

1 misdemeanor;" division, when it finds that particular
 2 information relates to medical information having no bearing
 3 upon the claim presented or award made. In the case of all
 4 other information furnished to the division by an employer,
 5 a workman, or an insurer, the legislature finds that the
 6 merits of public disclosure clearly exceed the demands of
 7 individual privacy and that there is a compelling state
 8 interest in the exercise of the constitutional right to
 9 inspect public records of the division of workmen's
 10 compensation as provided in this act."
 11 Section 2. Section 92-1348, R.C.M. 1947, is repealed.

-End-

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