

HB 371 INTRODUCED BY ADDY, ET AL.
ALLOW DEPARTMENT OF JUSTICE TO PROVIDE DRIVER LICENSE
LISTS TO SELECTIVE SERVICE

1/21	INTRODUCED	
1/21	REFERRED TO JUDICIARY	
2/10	HEARING	
2/18	COMMITTEE REPORT--BILL NOT PASSED	
2/19	ADVERSE COMMITTEE REPORT ADOPTED	76 18
2/20	RECONSIDERED ADOPTION OF ADVERSE COMMITTEE REPORT	51 43
2/21	2ND READING NOT PASSED	52 41

1 House BILL NO. 371
2 INTRODUCED BY Rollin Mercer Bob Brown

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE DEPARTMENT
5 OF JUSTICE TO FURNISH THE DIRECTOR OF THE SELECTIVE SERVICE
6 SYSTEM LISTS OF MALE DRIVER'S LICENSE HOLDERS BORN IN
7 SPECIFIED YEARS; AND AMENDING SECTION 2-6-109, MCA."

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

10 Section 1. Section 2-6-109, MCA is amended to read:

11 "2-6-109. Prohibition on distribution or sale of
12 mailing lists -- exceptions -- penalty. (1) Except as
13 provided in subsections (3)~~-(4)~~~~-(5)~~~~-(6)~~ through (7),
14 in order to protect the privacy of those who deal with state
15 and local government:

16 (a) no agency may distribute or sell for use as a
17 mailing list any list of persons without first securing the
18 permission of those on the list; and

19 (b) no list of persons prepared by the agency may be
20 used as a mailing list except by the agency or another
21 agency without first securing the permission of those on the
22 list.

23 (2) As used in this section, "agency" means any board,
24 bureau, commission, department, division, authority, or
25 officer of the state or a local government.

1 (3) Except as provided in 30-9-403, this section does
2 not prevent an individual from compiling a mailing list by
3 examination of original documents or applications which are
4 otherwise open to public inspection.

5 (4) This section does not apply to the lists of
6 registered electors and the new voter lists provided for in
7 13-2-115 and 13-38-103, or to lists of the names of
8 employees governed by Title 39, chapter 31.

9 (5) This section shall not prevent an agency from
10 providing a list to persons providing prelicensing or
11 continuing educational courses subject to Title 20, chapter
12 30, or specifically exempted therefrom as provided in
13 20-30-102.

14 (6) This section does not apply to the right of access
15 either by Montana law enforcement agencies or, by purchase
16 or otherwise, of public records dealing with motor vehicle
17 registration.

18 (7) This section does not prohibit the department of
19 justice from furnishing to the director of the selective
20 service system, provided for in 50 U.S.C.A. App. 460, a list
21 of males born in specified years who are holders of driver's
22 licenses, for the purpose of assuring compliance with the
23 military draft registration requirements of the national
24 selective service law.

25 ~~(7)~~(8) A person violating the provisions of subsection



1 (1)(b) is guilty of a misdemeanor."

2 NEW SECTION. Section 2. Extension of authority. Any
3 existing authority of the department of justice to make
4 rules on the subject of the provisions of this act is
5 extended to the provisions of this act.

-End-

COMMITTEE
ON JUDICIARY
RECOMMEND DO NOT PASS
ON MOTION, PRINTED AND
PLACED ON SECOND READING

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LC 0364/01

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