

SENATE BILL NO. 120

INTRODUCED BY HARDING

BY REQUEST OF THE DEPARTMENT OF HEALTH AND
ENVIRONMENTAL SCIENCES

IN THE SENATE

JANUARY 13, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE & SAFETY.
	FIRST READING.
JANUARY 19, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 20, 1989	PRINTING REPORT.
JANUARY 21, 1989	SECOND READING, DO PASS.
JANUARY 23, 1989	ENGROSSING REPORT.
	ON MOTION TAKEN FROM ENGROSSING AND PLACED ON SECOND READING.
JANUARY 24, 1989	SECOND READING, DO PASS AS AMENDED.
JANUARY 25, 1989	ENGROSSING REPORT.
JANUARY 26, 1989	THIRD READING, PASSED. AYES, 45; NOES, 1.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 27, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
FEBRUARY 20, 1989	FIRST READING.
MARCH 3, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 4, 1989	SECOND READING, CONCURRED IN.

MARCH 6, 1989

THIRD READING, CONCURRED IN.
AYES, 94; NOES, 0.

RETURNED TO SENATE.

IN THE SENATE

MARCH 7, 1989

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *120*
2 INTRODUCED BY *Harding*
3 BY REQUEST OF THE DEPARTMENT OF HEALTH AND
4 ENVIRONMENTAL SCIENCES
5

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE DEPARTMENT
7 OF HEALTH AND ENVIRONMENTAL SCIENCES TO RELEASE TO THE
8 DEPARTMENT OF REVENUE, FOR A CHILD SUPPORT ENFORCEMENT
9 ACTION, INFORMATION FROM THE BIRTH RECORDS OF A PERSON BORN
10 OUT OF WEDLOCK; AMENDING SECTIONS 50-15-112 AND 50-15-206,
11 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
12

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

14 **Section 1.** Section 50-15-112, MCA, is amended to read:

15 "50-15-112. Inspection of records and issuance of
16 copies limited. (1) The department may not permit inspection
17 of the records or issue copies of a certificate unless it is
18 satisfied that the applicant has a direct and tangible
19 interest in the data recorded and that the information is
20 necessary for the determination of personal or property
21 rights.

22 (2) "Tangible interest" includes but is not limited to
23 the interests of the persons described in 50-15-206 for the
24 purposes of custody or child support actions, social
25 security eligibility determinations, or Indian tribal

1 enrollment determinations."

2 **Section 2.** Section 50-15-206, MCA, is amended to read:

3 "50-15-206. Permissible disclosure of illegitimate
4 birth. (1) Disclosure of illegitimacy of birth or
5 information from which illegitimacy can be ascertained may
6 be made only:

7 (a) upon an order of a court to determine personal or
8 property rights. An adopted person of legal age may apply to
9 the court for such an order.

10 (b) upon request of the department of social and
11 rehabilitation services, the department of family services,
12 the department of revenue, or a licensed adoption agency for
13 purposes of custody or child support action actions, social
14 security eligibility determinations, or Indian tribal
15 enrollment determinations;

16 (c) upon request of the natural parent during the
17 child's minority unless the child has been placed for
18 adoption.

19 (2) Except when an order of the court is sought, prior
20 to disclosure, the requesting party must submit in writing
21 to the department:

22 (a) proof of identity when appropriate;

23 (b) the need for the information; and

24 (c) the specific purpose for which the information is
25 to be used. The information may be used only for that

LC 0859/01

1 purpose."

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

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

 -End-

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

SENATE BILL NO. 120

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ENVIRONMENTAL SCIENCES

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DEPARTMENT OF REVENUE, FOR A CHILD SUPPORT ENFORCEMENT
ACTION, INFORMATION FROM THE BIRTH RECORDS OF A PERSON BORN
OUT OF WEDLOCK; AND AMENDING SECTIONS 50-15-112 AND
50-15-206, MCA; ~~AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.~~"

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rights.

(2) "Tangible interest" includes but is not limited to
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SB 0120/02

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2 NEW SECTION. **Section 3.** Extension of authority. Any
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4 provisions of [this act] is extended to the provisions of
5 [this act].

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SB 0120/03

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