

1 SENATE BILL NO. 384  
2 INTRODUCED BY D. ZOLNIKOV, K. REGIER, E. BOLDMAN, S. MORIGEAU, K. BOGNER, K. SULLIVAN, K.  
3 ZOLNIKOV, D. EMRICH  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE CONSUMER DATA PRIVACY ACT;  
6 PROVIDING DEFINITIONS; ESTABLISHING APPLICABILITY; PROVIDING FOR CONSUMER RIGHTS TO  
7 PERSONAL DATA; ESTABLISHING REQUIREMENTS AND LIMITATIONS FOR A CONTROLLER OF  
8 PERSONAL DATA; ESTABLISHING REQUIREMENTS AND LIMITATIONS FOR A PROCESSOR OF  
9 PERSONAL DATA; PROVIDING FOR DATA PROTECTION ASSESSMENTS; PROVIDING EXEMPTIONS  
10 AND COMPLIANCE REQUIREMENTS; PROVIDING FOR ENFORCEMENT; AND PROVIDING EFFECTIVE  
11 DATES A DELAYED EFFECTIVE DATE AND A TERMINATION DATE."

12  
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
14

15 NEW SECTION. Section 1. Short title. [Sections 1 through 12] may be cited as the "Consumer Data  
16 Privacy Act".  
17

18 NEW SECTION. Section 2. Definitions. As used in [sections 1 through 12], unless the context  
19 clearly indicates otherwise, the following definitions apply:

20 (1) "Affiliate" means a legal entity that shares common branding with another legal entity or  
21 controls, is controlled by, or is under common control with another legal entity.

22 (2) "Authenticate" means to use reasonable methods to determine that a request to exercise any  
23 of the rights afforded under [section 5(1)(a) through (1)(e)] is being made by, or on behalf of, the consumer who  
24 is entitled to exercise these consumer rights with respect to the personal data at issue.

25 (3) (a) "Biometric data" means data generated by automatic measurements of an individual's  
26 biological characteristics, such as a fingerprint, a voiceprint, eye retinas, irises, or other unique biological  
27 patterns or characteristics that are used to identify a specific individual.

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1 (b) The term does not include:  
2 (i) a digital or physical photograph;  
3 (ii) an audio or video recording; or  
4 (iii) any data generated from a digital or physical photograph or an audio or video recording, unless  
5 that data is generated to identify a specific individual.

6 (4) "Child" means an individual under 13 years of age.

7 (5) (a) "Consent" means a clear affirmative act signifying a consumer's freely given, specific,  
8 informed, and unambiguous agreement to allow the processing of personal data relating to the consumer. The  
9 term may include a written statement, a statement by electronic means, or any other unambiguous affirmative  
10 action.

11 (b) The term does not include:

12 (i) acceptance of a general or broad term of use or similar document that contains descriptions of  
13 personal data processing along with other unrelated information;

14 (ii) hovering over, muting, pausing, or closing a given piece of content; or

15 (iii) an agreement obtained using dark patterns.

16 (6) (a) "Consumer" means an individual who is a resident of this state.

17 (b) The term does not include an individual acting in a commercial or employment context or as an  
18 employee, owner, director, officer, or contractor of a company, partnership, sole proprietorship, nonprofit, or  
19 government agency whose communications or transactions with the controller occur solely within the context of  
20 that individual's role with the company, partnership, sole proprietorship, nonprofit, or government agency.

21 (7) "Control" or "controlled" means:

22 (a) ownership of or the power to vote more than 50% of the outstanding shares of any class of  
23 voting security of a company;

24 (b) control in any manner over the election of a majority of the directors or of individuals exercising  
25 similar functions; or

26 (c) the power to exercise controlling influence over the management of a company.

27 (8) "Controller" means an individual who or legal entity that, alone or jointly with others, determines

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1 the purpose and means of processing personal data.

2 (9) "Dark pattern" means a user interface designed or manipulated with the effect of substantially  
3 subverting or impairing user autonomy, decision-making, or choice.

4 (10) "Decisions that produce legal or similarly significant effects concerning the consumer" means  
5 decisions made by the controller that result in the provision or denial by the controller of financial or lending  
6 services, housing, insurance, education enrollment or opportunity, criminal justice, employment opportunities,  
7 health care services, or access to necessities such as food and water.

8 (11) "Deidentified data" means data that cannot be used to reasonably infer information about or  
9 otherwise be linked to an identified or identifiable individual or a device linked to the individual if the controller  
10 that possesses the data:

11 (a) takes reasonable measures to ensure that the data cannot be associated with an individual;

12 (b) publicly commits to process the data in a deidentified fashion only and to not attempt to  
13 reidentify the data; and

14 (c) contractually obligates any recipients of the data to satisfy the criteria set forth in subsections  
15 (11)(a) and (11)(b).

16 (12) "Identified or identifiable individual" means an individual who can be readily identified, directly  
17 or indirectly, ~~in particular by reference to an identifier such as a name, an identification number, specific~~  
18 ~~geolocation data, or an online identifier.~~

19 (13) "Institution of higher education" means any individual who or school, board, association, limited  
20 liability company, or corporation that is licensed or accredited to offer one or more programs of higher learning  
21 leading to one or more degrees.

22 (14) "Nonprofit organization" means any organization that is exempt from taxation under section  
23 501(c)(3), 501(c)(4), 501(c)(6) or 501(c)(12) of the Internal Revenue Code of 1986 or any subsequent  
24 corresponding internal revenue code of the United States as amended from time to time.

25 (15) (a) "Personal data" means any information that is linked or reasonably linkable to an identified  
26 or identifiable individual.

27 (b) The term does not include deidentified data or publicly available information.

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1 (16) (a) "Precise geolocation data" means information derived from technology, including but not  
2 limited to global positioning system level latitude and longitude coordinates or other mechanisms, that directly  
3 identifies the specific location of an individual with precision and accuracy within a radius of 1,750 feet.

4 (b) The term does not include the content of communications, or any data generated by or  
5 connected to advanced utility metering infrastructure systems or equipment for use by a utility.

6 (17) "Process" or "processing" means any operation or set of operations performed, whether by  
7 manual or automated means, on personal data or on sets of personal data, such as the collection, use, storage,  
8 disclosure, analysis, deletion, or modification of personal data.

9 (18) "Processor" means an individual who or legal entity that processes personal data on behalf of a  
10 controller.

11 (19) "Profiling" means any form of automated processing performed on personal data SOLELY to  
12 evaluate, analyze, or predict personal aspects related to an identified or identifiable individual's economic  
13 situation, health, personal preferences, interests, reliability, behavior, location, or movements.

14 (20) "Protected health information" has the same meaning as provided in the privacy regulations of  
15 the federal Health Insurance Portability and Accountability Act of 1996.

16 (21) "Pseudonymous data" means personal data that cannot be attributed to a specific individual  
17 without the use of additional information, provided the additional information is kept separately and is subject to  
18 appropriate technical and organizational measures to ensure that the personal data is not attributed to an  
19 identified or identifiable individual.

20 (22) "Publicly available information" means information that:

21 (a) is lawfully made available through federal, state, or municipal government records or widely  
22 distributed media; ~~and~~ OR

23 (b) a controller has a reasonable basis to believe a consumer has lawfully made available to the  
24 public.

25 (23) (a) "Sale of personal data" means the exchange of personal data for monetary or other  
26 valuable consideration by the controller to a third party.

27 (b) The term does not include:

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- 1 (i) the disclosure of personal data to a processor that processes the personal data on behalf of  
2 the controller;
- 3 (ii) the disclosure of personal data to a third party for the purposes of providing a product or  
4 service requested by the consumer;
- 5 (iii) the disclosure or transfer of personal data to an affiliate of the controller;
- 6 (iv) the disclosure of personal data in which the consumer directs the controller to disclose the  
7 personal data or intentionally uses the controller to interact with a third party;
- 8 (v) the disclosure of personal data that the consumer:  
9 (A) intentionally made available to the public via a channel of mass media; and  
10 (B) did not restrict to a specific audience; or
- 11 (vi) the disclosure or transfer of personal data to a third party as an asset that is part of a merger,  
12 acquisition, bankruptcy, or other transaction, or a proposed merger, acquisition, bankruptcy, or other  
13 transaction in which the third party assumes control of all or part of the controller's assets.
- 14 (24) "Sensitive data" means personal data that includes:  
15 (a) data revealing racial or ethnic origin, religious beliefs, a mental or physical health condition or  
16 diagnosis, information about a person's sex life, sexual orientation, or citizenship or immigration status;  
17 (b) the processing of genetic or biometric data for the purpose of uniquely identifying an individual;  
18 (c) personal data collected from a known child; or  
19 (d) precise geolocation data.
- 20 (25) (a) "Targeted advertising" means displaying advertisements to a consumer in which the  
21 advertisement is selected based on personal data obtained or inferred from that consumer's activities over time  
22 and across nonaffiliated internet websites or online applications to predict the consumer's preferences or  
23 interests.
- 24 (b) The term does not include:  
25 (i) advertisements based on activities within a controller's own internet websites or online  
26 applications;  
27 (ii) advertisements based on the context of a consumer's current search query or visit to an

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1 internet website or online application;

2 (iii) advertisements directed to a consumer in response to the consumer's request for information  
3 or feedback; or

4 (iv) processing personal data solely to measure or report advertising frequency, performance, or  
5 reach.

6 (26) "Third party" means an individual or legal entity, such as a public authority, agency, or body,  
7 other than the consumer, controller, or processor or an affiliate of the controller or processor.

8 (27) "TRADE SECRET" HAS THE SAME MEANING AS PROVIDED IN 30-14-402.

9  
10 NEW SECTION. Section 3. Applicability. The provisions of [sections 1 through 12] apply to persons  
11 that conduct business in this state or persons that produce products or services that are targeted to residents of  
12 this state and:

13 (1) control or process the personal data of not less than 400,000 50,000 consumers, excluding  
14 personal data controlled or processed solely for the purpose of completing a payment transaction; or

15 (2) control or process the personal data of not less than 25,000 consumers and derive more than  
16 25% of gross revenue from the sale of personal data.

17  
18 NEW SECTION. Section 4. Exemptions. (1) [Sections 1 through 12] do not apply to any:

19 (a) body, authority, board, bureau, commission, district, or agency of this state or any political  
20 subdivision of this state;

21 (b) nonprofit organization;

22 (c) institution of higher education;

23 (d) national securities association that is registered under 15 U.S.C. 78o-3 of the federal Securities  
24 Exchange Act of 1934, as amended;

25 (e) ~~financial institution or data subject to Title V of the Financial Services Modernization Act of~~  
26 1999, 15 U.S.C. 6801, et seq. FINANCIAL INSTITUTION OR AN AFFILIATE OF A FINANCIAL INSTITUTION GOVERNED BY, OR  
27 PERSONAL DATA COLLECTED, PROCESSED, SOLD, OR DISCLOSED IN ACCORDANCE WITH, TITLE V OF THE GRAMM-

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1 benefits; and

2 (p) personal data collected, processed, sold, or disclosed in relation to price, route, or service, as  
3 these terms are used in the Airline Deregulation Act of 1978, 49 U.S.C. 40101, et seq., as amended, by an air  
4 carrier subject to the Airline Deregulation Act of 1978, to the extent [sections 1 through 12] are preempted by  
5 the Airline Deregulation Act of 1978, 49 U.S.C. 41713, as amended.

6 (3) Controllers and processors that comply with the verifiable parental consent requirements of the  
7 Children's Online Privacy Protection Act of 1998, 15 U.S.C. 6501, et seq., shall be considered compliant with  
8 any obligation to obtain parental consent pursuant to [sections 1 through 12].

9  
10 **NEW SECTION. Section 5. Consumer personal data -- opt-out -- compliance -- appeals.** (1) A  
11 consumer must have the right to:

12 (a) confirm whether a controller is processing the consumer's personal data and access the  
13 consumer's personal data, UNLESS SUCH CONFIRMATION OR ACCESS WOULD REQUIRE THE CONTROLLER TO REVEAL A  
14 TRADE SECRET;

15 (b) correct inaccuracies in the consumer's personal data, considering the nature of the personal  
16 data and the purposes of the processing of the consumer's personal data;

17 (c) delete personal data about the consumer;

18 (d) obtain a copy of the consumer's personal data previously provided by the consumer to the  
19 controller in a portable and, to the extent technically feasible, readily usable format that allows the consumer to  
20 transmit the personal data to another controller without hindrance when the processing is carried out by  
21 automated means, provided the controller is not required to reveal any trade secret; and

22 (e) opt out of the processing of the consumer's personal data for the purposes of:

23 (i) targeted advertising;

24 (ii) the sale of the consumer's personal data, except as provided in [section 7(2)]; or

25 (iii) profiling in furtherance of solely automated decisions that produce legal or similarly significant  
26 effects concerning the consumer.

27 (2) A consumer may exercise rights under this section by a secure and reliable means established

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1 by the controller and described to the consumer in the controller's privacy notice.

2 (3) (a) A consumer may designate an authorized agent in accordance with [section 6] to exercise  
3 the rights of the consumer to opt out of the processing of the consumer's personal data under subsection (1)(e)  
4 on behalf of the consumer.

5 (b) A parent or legal guardian of a known child may exercise the consumer rights on the known  
6 child's behalf regarding the processing of personal data.

7 (c) A guardian or conservator of a consumer subject to a guardianship, conservatorship, or other  
8 protective arrangement, may exercise the rights on the consumer's behalf regarding the processing of personal  
9 data.

10 (4) Except as otherwise provided in [sections 1 through 12], a controller shall comply with a  
11 request by a consumer to exercise the consumer rights authorized pursuant to this section as follows:

12 (a) A controller shall respond to the consumer without undue delay, but not later than 45 days after  
13 receipt of the request. The controller may extend the response period by 45 additional days when reasonably  
14 necessary, considering the complexity and number of the consumer's requests, provided the controller informs  
15 the consumer of the extension within the initial 45-day response period and the reason for the extension.

16 (b) If a controller declines to act regarding the consumer's request, the controller shall inform the  
17 consumer without undue delay, but not later than 45 days after receipt of the request, of the justification for  
18 declining to act and provide instructions for how to appeal the decision.

19 (c) Information provided in response to a consumer request must be provided by a controller, free  
20 of charge, once for each consumer during any 12-month period. If requests from a consumer are manifestly  
21 unfounded, excessive, technically infeasible, or repetitive, the controller may charge the consumer a  
22 reasonable fee to cover the administrative costs of complying with the request or decline to act on the request.  
23 The controller bears the burden of demonstrating the manifestly unfounded, excessive, technically infeasible, or  
24 repetitive nature of the request.

25 (d) If a controller is unable to authenticate a request to exercise any of the rights afforded under  
26 subsections (1)(a) through (1)(e) of this section using commercially reasonable efforts, the controller may not  
27 be required to comply with a request to initiate an action pursuant to this section and shall provide notice to the

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1 consumer that the controller is unable to authenticate the request to exercise the right or rights until the  
2 consumer provides additional information reasonably necessary to authenticate the consumer and the  
3 consumer's request to exercise the consumer's rights. A controller may not be required to authenticate an opt-  
4 out request, but a controller may deny an opt-out request if the controller has a good faith, reasonable, and  
5 documented belief that the request is fraudulent. If a controller denies an opt-out request because the controller  
6 believes the request is fraudulent, the controller shall send notice to the person who made the request  
7 disclosing that the controller believes the request is fraudulent and that the controller may not comply with the  
8 request.

9 (E) A CONTROLLER THAT HAS OBTAINED PERSONAL DATA ABOUT A CONSUMER FROM A SOURCE OTHER  
10 THAN THE CONSUMER MUST BE DEEMED IN COMPLIANCE WITH THE CONSUMER'S REQUEST TO DELETE THE CONSUMER'S  
11 DATA PURSUANT TO SUBSECTION (1)(C) BY:

12 (I) RETAINING A RECORD OF THE DELETION REQUEST AND THE MINIMUM DATA NECESSARY FOR THE  
13 PURPOSE OF ENSURING THE CONSUMER'S PERSONAL DATA REMAINS DELETED FROM THE CONTROLLER'S RECORDS AND  
14 NOT USING THE RETAINED DATA FOR ANY OTHER PURPOSE PURSUANT TO THE PROVISIONS OF [SECTIONS 1 THROUGH  
15 12]; OR

16 (II) OPTING THE CONSUMER OUT OF THE PROCESSING OF THE CONSUMER'S PERSONAL DATA FOR ANY  
17 PURPOSE EXCEPT FOR THOSE EXEMPTED PURSUANT TO THE PROVISIONS OF [SECTIONS 1 THROUGH 12].

18 (5) A controller shall establish a process for a consumer to appeal the controller's refusal to act on  
19 a request within a reasonable period after the consumer's receipt of the decision. The appeal process must be  
20 conspicuously available and like the process for submitting requests to initiate action pursuant to this section.  
21 Not later than 60 days after receipt of an appeal, a controller shall inform the consumer in writing of any action  
22 taken or not taken in response to the appeal, including a written explanation of the reasons for the decisions. If  
23 the appeal is denied, the controller shall also provide the consumer with an online mechanism, if available, or  
24 other method through which the consumer may contact the attorney general to submit a complaint.

25  
26 NEW SECTION. Section 6. Authorized agent. (1) A consumer may designate another person to  
27 serve as the consumer's authorized agent and act on the consumer's behalf to opt out of the processing of the

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1 consumer's personal data for one or more of the purposes specified in [section 5(1)(e)]. THE CONSUMER MAY  
2 DESIGNATE AN AUTHORIZED AGENT BY WAY OF A TECHNOLOGY, INCLUDING BUT NOT LIMITED TO AN INTERNET LINK OR A  
3 BROWSER SETTING, BROWSER EXTENSION, OR GLOBAL DEVICE SETTING INDICATING A CUSTOMER'S INTENT TO OPT OUT  
4 OF SUCH PROCESSING.

5 (2) A controller shall comply with an opt-out request received from an authorized agent if the  
6 controller is able to verify, with commercially reasonable effort, the identity of the consumer and the authorized  
7 agent's authority to act on the consumer's behalf.

8 (3) OPT-OUT METHODS MUST:

9 (A) PROVIDE A CLEAR AND CONSPICUOUS LINK ON THE CONTROLLER'S INTERNET WEBSITE TO AN INTERNET  
10 WEB PAGE THAT ENABLES A CONSUMER, OR AN AGENT OF THE CONSUMER, TO OPT OUT OF THE TARGETED ADVERTISING  
11 OR SALE OF THE CONSUMER'S PERSONAL DATA; AND

12 (B) BY NO LATER THAN JANUARY 1, 2025, ALLOW A CONSUMER TO OPT OUT OF ANY PROCESSING OF THE  
13 CONSUMER'S PERSONAL DATA for the purposes of targeted advertising, or any sale of such personal data  
14 THROUGH AN OPT-OUT PREFERENCE SIGNAL SENT WITH THE CONSUMER'S CONSENT, TO THE CONTROLLER BY A  
15 PLATFORM, TECHNOLOGY, OR MECHANISM THAT:

16 (i) MAY NOT UNFAIRLY DISADVANTAGE ANOTHER CONTROLLER;

17 (ii) MUST may not MAKE USE OF A DEFAULT SETTING, BUT REQUIRE THE CONSUMER TO MAKE AN  
18 AFFIRMATIVE, FREELY GIVEN AND UNAMBIGUOUS CHOICE TO OPT OUT OF ANY PROCESSING OF A CUSTOMER'S PERSONAL  
19 DATA PURSUANT TO [SECTIONS 1 THROUGH 12];

20 (iii) MUST BE CONSUMER-FRIENDLY AND EASY TO USE BY THE AVERAGE CONSUMER;

21 (iv) MUST BE CONSISTENT WITH ANY FEDERAL OR STATE LAW OR REGULATION; AND

22 (v) MUST ENABLE allow THE CONTROLLER TO ACCURATELY DETERMINE WHETHER THE CONSUMER IS A  
23 RESIDENT OF THE STATE AND WHETHER THE CONSUMER HAS MADE A LEGITIMATE REQUEST TO OPT OUT OF ANY SALE OF  
24 A CONSUMER'S PERSONAL DATA OR TARGETED ADVERTISING.

25 (4) (A) IF A CONSUMER'S DECISION TO OPT OUT OF ANY PROCESSING OF THE CONSUMER'S PERSONAL  
26 DATA FOR THE PURPOSES OF TARGETED ADVERTISING, OR ANY SALE OF PERSONAL DATA, THROUGH AN OPT-OUT  
27 PREFERENCE SIGNAL SENT IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (3) CONFLICTS WITH THE

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1 CONSUMER'S EXISTING CONTROLLER-SPECIFIC PRIVACY SETTING OR VOLUNTARY PARTICIPATION IN A CONTROLLER'S  
2 BONA FIDE LOYALTY, REWARDS, PREMIUM FEATURES, DISCOUNTS, OR CLUB CARD PROGRAM, THE CONTROLLER SHALL  
3 COMPLY WITH THE CONSUMER'S OPT-OUT PREFERENCE SIGNAL BUT MAY NOTIFY THE CONSUMER OF THE CONFLICT AND  
4 PROVIDE THE CHOICE TO CONFIRM CONTROLLER-SPECIFIC PRIVACY SETTINGS OR PARTICIPATION IN SUCH A PROGRAM.

5 (B) IF A CONTROLLER RESPONDS TO CONSUMER OPT-OUT REQUESTS RECEIVED IN ACCORDANCE WITH  
6 SUBSECTION (3) BY INFORMING THE CONSUMER OF A CHARGE FOR THE USE OF ANY PRODUCT OR SERVICE, THE  
7 CONTROLLER SHALL PRESENT THE TERMS OF ANY FINANCIAL INCENTIVE OFFERED PURSUANT TO SUBSECTION (3) FOR  
8 THE RETENTION, USE, SALE, OR SHARING OF THE CONSUMER'S PERSONAL DATA.

9  
10 **NEW SECTION. Section 7. Data processing by controller -- limitations.** (1) A controller shall:

11 (a) limit the collection of personal data to what is adequate, relevant, and reasonably necessary in  
12 relation to the purposes for which the personal data is processed, as disclosed to the consumer;

13 (b) establish, implement, and maintain reasonable administrative, technical, and physical data  
14 security practices to protect the confidentiality, integrity, and accessibility of personal data appropriate to the  
15 volume and nature of the personal data at issue; and

16 (c) provide an effective mechanism for a consumer to revoke the consumer's consent under this  
17 section that is at least as easy as the mechanism by which the consumer provided the consumer's consent and,  
18 on revocation of the consent, cease to process the personal data as soon as practicable, but not later than 45  
19 days after the receipt of the request.

20 (2) A controller may not:

21 (a) except as otherwise provided in [sections 1 through 12], process personal data for purposes  
22 that are not reasonably necessary to or compatible with the disclosed purposes for which the personal data is  
23 processed as disclosed to the consumer unless the controller obtains the consumer's consent;

24 (b) process sensitive data concerning a consumer without obtaining the consumer's consent or, in  
25 the case of the processing of sensitive data concerning a known child, without processing the sensitive data in  
26 accordance with the Children's Online Privacy Protection Act of 1998, 15 U.S.C. 6501, et seq.;

27 (c) process personal data in violation of the laws of this state and federal laws that prohibit

1 extent that the processing is:

2 (a) reasonably necessary and proportionate to the purposes listed in this section; and

3 (b) adequate, relevant, and limited to what is necessary in relation to the specific purposes listed in  
4 this section. The controller or processor must, when applicable, consider the nature and purpose of the  
5 collection, use, or retention of the personal data collected, used, or retained pursuant to subsection (2). The  
6 personal data must be subject to reasonable administrative, technical, and physical measures to protect the  
7 confidentiality, integrity, and accessibility of the personal data and to reduce reasonably foreseeable risks of  
8 harm to consumers relating to the collection, use, or retention of personal data.

9 (7) If a controller processes personal data pursuant to an exemption in this section, the controller  
10 bears the burden of demonstrating that the processing qualifies for the exemption and complies with the  
11 requirements in subsection (6).

12 (8) Processing personal data for the purposes expressly identified in this section may not solely  
13 make a legal entity a controller with respect to the processing.

14

15 **NEW SECTION. Section 12. Enforcement.** (1) The attorney general has exclusive authority to  
16 enforce violations pursuant to [sections 1 through 11].

17 ~~(1)~~(2) (a) The attorney general shall, prior to initiating any action for a violation of any provision of  
18 [sections 1 through 11], issue a notice of violation to the controller.

19 (b) If the controller fails to correct the violation within 60 days of receipt of the notice of violation,  
20 the attorney general may bring an action pursuant to this section.

21 (c) If within the 60-day period the controller corrects the noticed violation and provides the attorney  
22 general an express written statement that the alleged violations have been corrected and that no SUCH further  
23 violations will occur, no action must be initiated against the controller.

24 ~~(2)~~(3) Nothing in [sections 1 through 11] may be construed as providing the basis for or be subject to  
25 a private right of action for violations of [sections 1 through 11] or any other law.

26

27 **NEW SECTION. Section 13. Codification instruction.** [Sections 1 through 12] are intended to be

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1 codified as an integral part of Title 30, chapter 14, and the provisions of Title 30, chapter 14, apply to [sections  
2 1 through 12].

3  
4 NEW SECTION. Section 14. Effective dates DATE. (1) Except as provided in subsection (2), [this  
5 [THIS act] is effective July 1, 2025 OCTOBER 1, 2024.

6 (2) — [Sections 1 and 3 through 7] and this section are effective July 1, 2023.

7  
8 NEW SECTION. SECTION 15. TERMINATION. [SECTION 12(2)] TERMINATES APRIL 1, 2026.

9 - END -