

HOUSE BILL NO. 580

INTRODUCED BY B. MERCER

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING REPORTING REQUIREMENTS FOR EXECUTIVE BRANCH AGENCIES, THE LEGISLATIVE BRANCH, AND THE JUDICIAL BRANCH ON REQUESTS FOR INFORMATION MADE PURSUANT TO ARTICLE II, SECTION 9, OF THE MONTANA CONSTITUTION AND TITLE 2, CHAPTER 6, AND RELATED INFORMATION ON THE EFFORTS AND EXPENSE TO FULFILL REQUESTS; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

NEW SECTION. Section 1. Reporting. (1) To document the impacts and process associated with compliance with information requests made pursuant to Article II, section 9, of the Montana constitution and Title 2, chapter 6, each quarter, each executive branch agency, the legislative branch, and the judicial branch shall submit ~~a written report in accordance with 5-11-210~~ THE INFORMATION REQUIRED BY THIS SECTION FOR THE PRIOR QUARTER to the legislative finance committee. THE EXECUTIVE BRANCH AGENCIES SUBJECT TO THIS SECTION INCLUDE THE AGENCIES HEADED BY OFFICERS LISTED IN ARTICLE VI, SECTION 1, OF THE MONTANA CONSTITUTION AND THE DEPARTMENTS CREATED PURSUANT TO ARTICLE VI, SECTION 7, OF THE MONTANA CONSTITUTION.

(2) The report must contain the following information:

- (a) the number of requests for information submitted to each entity in the preceding quarter;
- (b) the identity of each requester;
- (c) what information was requested;
- (d) the date of the request; and
- (e) the status of the request, whether completed or in progress.

(3) If the entity has completed the request, the report must also provide the following information:

- (a) the date on which compliance with the request occurred;
- (b) the number of hours to fulfill the request; AND
- (c) costs imposed on the requester to fulfill the request; ~~and.~~

(d) ~~whether litigation ensued based on what was provided to the requester.~~

(4) For any request not completed in a quarter and reported pursuant to this section, the request must be reported on subsequent reports until the request has been completed.

(5) THIS SECTION DOES NOT APPLY TO REQUESTS THAT:

(A) WERE NOT SUBMITTED ACCORDING TO A PUBLIC INFORMATION REQUEST PROCESS OR PROTOCOL ESTABLISHED BY AN AGENCY;

(B) PERTAIN ONLY TO A SPECIFIC PERSON OR PROPERTY FOR APPLICATIONS, VITAL RECORDS, LICENSES, PERMITS, REGISTRATIONS, AND RELATED SUPPORTING DOCUMENTS; OR

(C) WERE FOR INFORMATION ACCESSIBLE ON A STATE WEBSITE OR OTHER PUBLICATION AVAILABLE AT THE TIME THE REQUEST WAS MADE.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 17, chapter 8, part 4, and the provisions of Title 17, chapter 8, part 4, apply to [section 1].

NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE JULY 1, 2024.

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