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HOUSE BILL NO. 264

INTRODUCED BY J. KARLEN

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO WILDLIFE LOCATION DATA AND TELEMETRY FREQUENCIES; PROVIDING PROHIBITIONS AND EXCEPTIONS ON THE RELEASING OF DATA BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS; AND AMENDING SECTION 2-6-1003, MCA."

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

NEW SECTION. **Section 1. Wildlife location data and telemetry frequencies.** (1) Except as provided in subsections (2) through (4), the department may not release wildlife location data or telemetry frequencies, whether collected by the department or held by the department, of hunted or trapped animals.

(2) Wildlife location data used as part of a study that includes a completion report may be released 3 years after the completion of the study and report.

(3) Wildlife location data that is not used as part of a study may be released 3 years after the department collects or acquires the data.

(4) The department may release wildlife location data for environmental permitting activities.

**Section 2.** Section 2-6-1003, MCA, is amended to read:

**"2-6-1003. Access to public information -- safety and security exceptions -- Montana historical society exception additional exceptions.** (1) Except as provided in subsections (2) and ~~(3)~~ through (4), every person has a right to examine and obtain a copy of any public information of this state.

(2) A public officer may withhold from public scrutiny information relating to individual or public safety or the security of public facilities, including public schools, jails, correctional facilities, private correctional facilities, and prisons, if release of the information jeopardizes the safety of facility personnel, the public, students in a public school, or inmates of a facility. A public officer may not withhold from public scrutiny any more information than is required to protect individual or public safety or the security of public facilities.

