

HJR 21 - STUDY OF PERSONAL INFORMATION OWNERSHIP
Study Plan As Adopted on Nov. 17, 2015

Meeting Date	Study Resolution Task(s) - Study Questions	Staff Tasks	Committee Tasks
Feb. 10, 2016	<p>1. Clarify levels of ownership and methods by which individuals may exercise and enforce their rights.</p> <p>(a) What does "ownership" mean legally?</p> <p>(b) To what extent is "ownership" similar to a "property right"?</p> <p>(c) In what ways may individuals exercise these rights?</p> <p>(d) How have other states answered these questions?</p>	<p>BACKGROUND/ ISSUE IDENTIFICATION</p> <ul style="list-style-type: none"> • Prepare research brief on legal theory of "ownership" and "property rights" with respect to personal information. • Invite expert speakers on ways in which individuals may exercise these rights? • Invite expert speakers and/or prepare staff briefing on other states 	<p>BACKGROUND/ ISSUE IDENTIFICATION</p> <ul style="list-style-type: none"> • Discuss what "personal information property" means to committee members • What types of information are of most interest to the committee (e.g., medical information, online information, consumer data, etc.)? • What individual rights with respect to these information areas are most important to the committee (e.g. consent provisions, monetary value of information, control of use, etc.)? • Which other states would the committee like to research further?

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April 19	<p>2. Find methods for consumers to exclude their personal information property from use without severely inhibiting private sector and government function.</p> <p>(a) Who benefits from the use of the personal information and how?</p> <p>(b) If consumers may exclude their information from use, to what extent will private sector or government functions be inhibited?</p> <p>(c) What methods have other states used?</p>	<p>IDENTIFY OPTIONS</p> <ul style="list-style-type: none"> Based on the committee's guidance with respect to what "personal information property" means, conduct research and invite expert speakers to address the study questions. 	<p>IDENTIFY OPTIONS</p> <ul style="list-style-type: none"> Of the methods that may be used by consumers to exclude their personal information property from use, which are of most interest to the committee?

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June 21	<p>3. Explore opportunities to provide greater power and control to people regarding information collected about them.</p> <p>Based on the Committee's guidance to this point:</p> <p>(a) How could Montana's current laws provide people with greater power and control?</p> <p>(b) Should new laws be enacted, and if so, what should the laws provide for?</p>	<p>ANALYZE OPTIONS/DEVELOP RECOMMENDATIONS</p> <ul style="list-style-type: none"> • Provide further research on the topics and methods of consumer control of most interest to the committee. • Identify sample legislation or laws in other states that could achieve the committee's goals. • Invite speakers to provide their perspectives and recommendations. 	<p>ANALYZE OPTIONS/DEVELOP RECOMMENDATIONS</p> <ul style="list-style-type: none"> • Develop preliminary recommendations (e.g., request specific bill drafts)
Aug. 23	<p>4. Develop findings and recommendations to be presented to the next legislature.</p>	<p>FINALIZE RECOMMENDATIONS</p> <ul style="list-style-type: none"> • Present draft bills • Invite speakers to present their analysis and recommendations on the bills 	<p>FINALIZE RECOMMENDATIONS</p> <ul style="list-style-type: none"> • Revise and adopt final recommendations, including any bill drafts