

Proposals for Legislation for 2009 Session

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1. *Problem or issue:*

Montana Statute provides that, with certain exceptions, ethics complaints and related records are confidential documents. Based on Montana's constitutional right to know provision (Article II, Section 9) it is appropriate to amend this statute to **clarify that ethics complaints and related documents are public records** except in cases where the demand of individual privacy clearly exceeds the merits of public disclosure. This is seen as a housekeeping measure.

2. *Legislation intends to do what?*

Clarify that ethics complaints and related documents are public records except in cases where the demand of individual privacy clearly exceeds the merits of public disclosure.

3. *What section of MCA?*

MCA 2-2-136

4. *Funding?*

No additional funding required.

5. *Previously introduced? Model act?*

No. However, we can draft this proposal.