



A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE UNITED STATES CONGRESS TO TAKE ACTION RELATING TO UNSOLICITED OFFERS OF MORTGAGE CREDIT, KNOWN AS TRIGGER LEADS.

WHEREAS, the Montana Legislature maintains that it is in the best interest of all Montanans to have access to safe, accountable, and private mortgage banking in achieving the American dream of home ownership; and

WHEREAS, Montanans who seek to fulfill this dream have been increasingly besieged with unsolicited credit offers from a litany of unknown and amorphous financial institutions, not because Montana homebuyers requested the credit solicitations, but because various entities obtained leads that were triggered by the Montana homebuyer potentially seeking a mortgage through a trusted and known lender; and

WHEREAS, these unsolicited offers of credit by entities unknown to Montanans, known as trigger leads, routinely subject Montanans to a barrage of unrequested, unnecessary, and gratuitous emails, mail, texts, and telephone calls at all times, day and night; and

WHEREAS, trigger leads are, at worst, criminally fraudulent offers by entities seeking to commit identity theft, and at best, trigger leads subject Montanans to daily harassment. Accordingly, the Montana Legislature declares trigger leads a public nuisance that must be, at the very least, competently regulated, but the best solution is for trigger leads to be prohibited; and

WHEREAS, the federal Fair Credit Reporting Act and the Consumer Financial Protection Bureau, operating with the intent of fostering interstate commerce and competition in the mortgage credit market, have naively shielded trigger leads from any meaningful state action; and

WHEREAS, although the Fair Credit Reporting Act and the Consumer Financial Protection Bureau allow for a person to opt out of unsolicited offers of credit, in reality this practice is wholly ineffective and has

only served as a convenient excuse to avoid meaningful federal regulation; and

WHEREAS, the United States Congress has, through introduced legislation, identified the overwhelming problem with the proliferation of trigger leads; none of these acts, however, have yet to pass.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the 69th Montana Legislature urges the United States Congress to take meaningful action to protect not only Montanans but all Americans by curtailing or eliminating trigger leads and, at the very least, to allow Montana and other states to protect their citizens by eliminating federal preemption of trigger leads under the Fair Credit Reporting Act.

BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to each member of the Montana Congressional Delegation.

- END -

I hereby certify that the within bill,
HJ 33, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2025.

President of the Senate

Signed this _____ day
of _____, 2025.

HOUSE JOINT RESOLUTION NO. 33

INTRODUCED BY T. FALK, E. BUTTREY

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