

HOUSE RESEARCH

Bill Summary

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Overview

This bill defines terms relating to e-charging and establishes related data practices provisions. It also modifies fingerprinting requirements.

“E-charging” means a BCA service “to provide communication and workflow tools for law enforcement, prosecutors, and the courts to use during the process of charging a person with a crime.”

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- 1 **E-charging.** Identifies where in statute e-charging data classification is found.
- 2 **Required fingerprinting.** Adds required fingerprinting for adults and juveniles admitted to jails or detention facilities. Provides that fingerprinting must be obtained no later than: (1) release from booking or (2) if not booked, prior to acceptance of a plea. Authorizes the court to order an individual to be taken into custody for up to eight hours to take prints if the prints were not obtained before the individual’s plea. Provides extension provisions.
- 3 **E-charging.**

Subd. 1. Definitions. Defines terms relating to e-charging: “auditing data,” “credentialed individual,” “credentialing data,” “e-charging,” “government entity,” “individual,” and “workflow and routing data.”

Subd. 2. Data classification. Classifies “credentialing data” as private data on individuals or nonpublic data. Classifies “auditing data” and “workflow and routing

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data” maintained by the BCA as confidential data on individuals or protected nonpublic data.

Subd. 3. Data sharing authorized. Provides when and to whom “auditing data,” “workflow and routing data,” and “credentialing data” may or must be disclosed:

- (a) Must be disclosed to a credentialed individual to resolve issues about the integrity of data at issue in a pending criminal matter (redisclosure not allowed/judicial branch records provisions may apply);
- (b) Must be disclosed to a defendant’s attorney and prosecutor in a pending criminal matter when deemed relevant to the defendant’s defense and ordered by the court (redisclosure not allowed/judicial branch records provisions may apply);
- (c) May be disclosed to a government entity employee or court employee and the employee’s employer if the employee is accused of inappropriate access to or use in e-charging data (redisclosure not allowed except as part of final disposition); and
- (d) May be disclosed as part of a criminal or civil matter against a person for unauthorized access to or use in e-charging (redisclosure not allowed/judicial branch records provisions may apply).

Subd. 4. Responding to data requests. Directs the BCA to provide a requester of e-charging data with information regarding which entity created the data if the data is not held by the BCA.