HOUSE RESEARCH

Bill Summary

Overview

This bill makes a variety of modifications to the laws related to data practices.

Article 1: General Provisions

Section

1   **Limitations on collection and use.** Strikes language related to informed consent for release of data for insurance purposes. This language is recodified in section 2 of this article.
This section also eliminates a reference to charging a person requesting data the cost of "compiling" copies of the data.

2   **Informed consent for insurance purposes.** Re-codifies the language related to informed consent for insurance purposes that is stricken in section 1.

3   **Definition.** Modifies the definition of "personnel data" to mean data maintained by a government entity, rather than the narrower current definition, which covers only data collected by a government entity.

4   **Public data.** Adds the terms and conditions of an employment relationship and work-related continuing education to the list of personnel data that are public
This section also provides that a disciplinary action does not become public data if an arbitrator sustains a grievance and reverses all aspects of a disciplinary action, and specifies when a final disposition occurs in certain circumstances.

5   **Department of Administration data**. Classifies security features, building specifications, and building drawings of state-owned or leased facilities as nonpublic data within the department of administration. The data may be shared with anyone as needed to perform the duties of the commissioner of administration.

6   **Private donor gift data.** Adds the Regional Parks Foundation of the Twin Cities to the section of law classifying certain private donor data as private or nonpublic.
In practical effect, this means that data on private contributors would not be accessible to the public, except for names of donors and the dollar range of their gifts.

Effective the day following final enactment.

7   **Parole and probation authorities.** Permits parole and county probation authorities to access data related to a weapons permit, or application for a permit, and any purchase or transfer of firearms by a person who is subject to that parole or probation authority's supervision.

8   **Closed meetings.** Clarifies a statute related to the closing of a public meeting to discuss appraisal data. A reference to "nonpublic" appraisal data is changed to "protected nonpublic" data, which is the defined term appropriate for this section.

9   **Grants management comments.** Classifies the identity of a person providing comments to the commissioner of administration related to grant governance policies in an executive branch agency as private or nonpublic. The data may be shared with the executive agency that is the subject of the comments.

10   **Informed consent.** Modifies a cross-reference to reflect changes made elsewhere in the bill.

11   **Other duties; Bureau of Mediation Services.** Enacts a cross-reference clarifying when grievance arbitration decisions issued by the Bureau of Mediation Services are required to be made public.

12   **Repealer.** Repeals the following statutes and rules:
13.06, subdivision 2: Related to applications for temporary classification of data on individuals; the substance of this policy is re-codified in Article 2 of this bill.
Rule 1205.1800: Related to the duties of the commissioner of administration related to temporary classification applications.

Article 2: Temporary Classifications

1   **Application to commissioner.** Provides that data in a temporary classification application are classified in the manner requested in the application upon its receipt by the commissioner, rather than upon the filing of the application.
Current law provides that data is classified in this manner only until the commissioner has disapproved, rejected, or granted the application, or 45 days have passed, whichever is earlier.

2   **Contents of application.** Modifies the requirements for an application to classify temporarily data as other than public.

3   **Temporary classification affecting others**. Modifies the applicable procedures when an application for a temporary classification affects other government entities. Notice of an application must be published in the state register within 15 days of receipt, rather than the current 10 day requirement. The commissioner may determine that an application for temporary data classification affects other entities.

4   **Withdrawal of application.** Permits a government entity requesting a temporary classification to withdraw the application prior to action by the commissioner. A withdrawal request must be made in writing, and describe why the temporary classification is no longer necessary.

5   **Action on application.** Modifies certain timelines related to the processing of a temporary classification application, specifying that the time requirements apply as of the date an

application is received by the commissioner, and as of the date a rejection of an application is received by the responsible authority.

6   **Data use.** Permits a responsible authority to request a new or different use or dissemination of data subject to a temporary classification.

7   **Submission to legislature.** Temporary classifications automatically expire if no action is taken by the legislature on the classification. This section extends the expiration date for the classification from June 1 to August 1 of the year following the year it is submitted to the legislature.