Overview

The bill deals with access to government data kept on computer (section 1); expressly authorizes government entities to obtain patents and copyrights (section 2); limits use and dissemination of certain data on individuals (section 3); prohibits government entities from requiring requesters to identify themselves or justify a request for public data (section 4); requires government entities to name a data compliance official (section 5); and creates a data complaint process (section 6).

Section

1  **Request for access to data.** Deals with access to public government data in a computer storage medium. Requires the government entity to provide the data in computer form on request if it can reasonably make a copy or have a copy made. Does not require the government entity to provide the data in an electronic format or program different from the one in which it maintains the data. Allows the government entity to require the requester to pay the actual cost of providing the copy.

2  **Copyright or patent of computer program.** Authorizes a government entity to enforce a copyright or patent computer software without statutory authority. Restates current law, which says nothing in the statute prevents taking these actions.

3  **General standards for collection and storage.** Limits use of all data on individuals to that necessary to administer and manage programs authorized by local, state, or federal government. Current law limits use only of private and confidential data. Limits dissemination of private and confidential data on individuals to what is necessary to administer government programs.

4  **Identification or justification.** Unless authorized by statute, government entities may not require persons to identify themselves, state a reason for requesting data, or justify a request for public data. Permits asking a person to provide identifying or clarifying information for the sole purpose of facilitating data access.

5  **Data practices compliance official.** By December 1, 2000, requires each government entity to
appoint an employee to act as the entity's compliance official. The responsible authority for the entity may fill this role. The public may direct to this person questions or concerns about data access or other data problems.

6 **Administrative remedies.**

**Subd. 1. Complaints.** Lets anyone file with the commissioner of administration a data practices compliance complaint about a government entity. Requires the commissioner to specify the form of complaint. Requires the commissioner to investigate whether the complaint is valid or whether an alternative dispute resolution process exists for the complaint. Requires the commissioner to dismiss the complaint if it is not valid or an alternative process would be more appropriate. If the commissioner finds the complaint valid, the actions in subdivision 2 may be used. Requires the commissioner to either dismiss the complaint or refer it under subdivision 2 within 20 days after receiving the request. Lets the commissioner extend this deadline another 30 days for good cause and upon written notice to the person with the complaint.

**Subd. 2. Informal resolution of complaint.** Allows the commissioner to informally resolve a complaint or, with both parties’ consent, refer it to the office of dispute resolution or the office of administrative hearings to arbitrate or mediate.

7 **Effective date.** Section 6 is effective July 1, 2000.