

HOUSE RESEARCH

Bill Summary

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Authors: Scott and others

Subject: Search and seizure of electronic data; state constitutional amendment

Analyst: Matt Gehring, 651-296-5052

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Overview

This bill proposes a state constitutional amendment that extends the right to be secure against unreasonable searches and seizures to include searches and seizures of electronic communications and data. The amendment would also require a warrant to particularly describe any electronic communications or data proposed to be accessed.

In 2014, voters in the state of Missouri ratified a similar constitutional amendment proposal for inclusion in their state constitution. A number of other state constitutions contain more general protections related to privacy, without explicit reference to electronic communications and data.

To be added to Minnesota's constitution, a state constitutional amendment requires legislative approval, by majority vote, and ratification by the people at a general election. Approval of the governor is not required. To be ratified, the proposed amendment must receive the affirmative vote of a majority of all voters voting at the election. This proposed amendment would appear on the ballot at the 2016 state general election.

Section

- 1 Constitutional amendment proposed.** Provides the proposed new state constitutional text, as an amendment to Article I, section 10, of the Minnesota Constitution.
- 2 Submission to voters.** Directs the proposed amendment to be submitted to the voters at the 2016 state general election, and specifies the wording of the question that must appear on the ballot at that election.