

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **2602**

03/08/2016 Authored by Scott and Pugh

The bill was read for the first time and referred to the Committee on Civil Law and Data Practices

1.1 A bill for an act
1.2 relating to data practices; restricting use of private and nonpublic data to only
1.3 those purposes authorized by law; amending Minnesota Statutes 2014, section
1.4 13.03, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2014, section 13.03, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 13. **Access to private data.** (a) An individual or entity that is not the subject of
1.9 private or nonpublic data but is authorized to access that data for an explicit purpose by state
1.10 or federal law may only request and use the data for that purpose. The individual or entity
1.11 may not further disseminate the data to another individual or entity except for a purpose
1.12 expressly authorized by law. The remedies provided in sections 13.08 and 13.09 apply to
1.13 any individual or entity that uses or disseminates data in violation of this subdivision.

1.14 (b) Prior to dissemination of private or nonpublic data to an individual or entity that
1.15 is not a subject of the data, a government entity must require the requesting individual or
1.16 entity to certify, in writing, that the data will only be used for an authorized purpose, if
1.17 authorized purposes are expressly provided by law. The government entity is not subject
1.18 to civil or criminal liability for a violation of paragraph (a) if the government entity has
1.19 complied with the requirements of this paragraph.