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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1296

02/18/2019 Authored by Bahr, Lucero, Scott, Munson and Drazkowski
The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division

1.1 A bill for an act
1.2 relating to civil law; amending the ability to transfer data between government
1.3 agencies; creating the Minnesota Fourth Amendment Protection Act; amending
1.4 Minnesota Statutes 2018, section 13.05, subdivision 9.

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

1.6 Section 1. Minnesota Statutes 2018, section 13.05, subdivision 9, is amended to read:

1.7 Subd. 9. **Intergovernmental access of data.** (a) A responsible authority shall not allow
1.8 another responsible authority or federal agency access to data classified as not public ~~only~~
1.9 ~~when the access is authorized or required by statute or federal law~~ unless (1) the subject of
1.10 the data has provided informed consent or (2) a warrant is provided that is based upon
1.11 probable cause and that particularly describes the person, place, or thing to be searched or
1.12 seized. An entity that supplies government data under this subdivision may require the
1.13 requesting entity to pay the actual cost of supplying the data.

1.14 (b) This subdivision may be cited as the "Minnesota Fourth Amendment Protection Act."

1.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.