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State of Minnesota HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **4270**

03/14/2022 Authored by Scott, Robbins, Lucero and Boe
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law

- 1.1 A bill for an act
- 1.2 relating to government data practices; creating general data audit trail requirements
- 1.3 for not public data; amending Minnesota Statutes 2020, section 13.05, by adding
a subdivision.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2020, section 13.05, is amended by adding a subdivision
- 1.7 to read:
- 1.8 Subd. 5a. **Audit trail required.** (a) The responsible authority shall establish procedures
- 1.9 to ensure that all actions in which not public data are created, received, changed, accessed,
- 1.10 shared, or disseminated are recorded in a data audit trail. In addition, an audit trail must
- 1.11 record:
- 1.12 (1) the date of the action;
- 1.13 (2) the identity of the person interacting with the data;
- 1.14 (3) for data received from another government entity or person, the identity of the sending
- 1.15 government entity or person; and
- 1.16 (4) for data shared or disseminated outside the government entity, the identity of the
- 1.17 receiving government entity or person.
- 1.18 (b) Data contained in an audit trail shall have the same classification as the underlying
- 1.19 data tracked by the audit trail.
- 1.20 (c) Notwithstanding section 138.17, an audit trail must be retained for not less than ten
- 1.21 years or until the underlying data tracked by the audit trail is destroyed pursuant to the
- 1.22 government entity's approved records retention schedule.

- 2.1 (d) This subdivision is intended to create general requirements for government entities.
- 2.2 It is not intended to conflict with and does not supersede other particular audit trail
- 2.3 requirements in state law. Any conflict between this subdivision and other particular audit
- 2.4 trail requirements in state law shall be resolved pursuant to section 645.26, subdivision 1.
- 2.5 **EFFECTIVE DATE.** This section is effective beginning August 1, 2023.