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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 103

02/10/2025 Authored by Feist, Virnig, Curran, Roach and Xiong
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law
03/02/2026 Adoption of Report: Re-referred to the Committee on Public Safety Finance and Policy

A bill for an act

relating to state government; prohibiting government entities from requesting or obtaining reverse-location information; prohibiting the use of reverse-location information from being used in a criminal action; prohibiting a court from issuing a court order to obtain reverse-location data; providing a civil cause of action when reverse-location data is obtained by a government entity; proposing coding for new law in Minnesota Statutes, chapter 626A.

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

Section 1. **[626A.45] REVERSE-LOCATION AND REVERSE-KEYWORD DATA.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Government entity" has the meaning given in section 13.02, subdivision 7a.

(c) "Reverse-keyword court order" means a court order, including a search warrant or subpoena, compelling the disclosure of records or information identifying any unnamed persons, by name or other unique identifier, who electronically searched for a particular word, phrase, or website or who visited a particular website through a link generated by the search, regardless of whether or not the order is limited to a specific geographic area or time frame.

(d) "Reverse-keyword request" means a request, in the absence of a court order, by a government entity for the voluntary provision of records or information identifying any unnamed persons, by name or other unique identifier, who electronically searched for a particular word, phrase, or website or who visited a particular website through a link generated by the search, regardless of whether or not the request is limited to a specific geographic area or time frame.

(e) "Reverse-location court order" means a court order, including a search warrant or subpoena, compelling the disclosure of records or information pertaining to the location of unspecified electronic devices or the devices' unnamed users or owners, whose scope extends to an unknown number of electronic devices present in a given geographic area at a given time, whether the location is measured by global positioning system coordinates, cell tower connectivity, Wi-Fi positioning, or other forms of location detection.

(f) "Reverse-location request" means a request, in the absence of a court order, by a government entity for the voluntary provision of records or information pertaining to the location of unspecified electronic devices or the devices' unnamed users or owners, whose scope extends to an unknown number of electronic devices present in a given geographic area at a given time, whether the location is measured by global positioning system coordinates, cell tower connectivity, Wi-Fi positioning, or other forms of location detection.

(g) "Sudden emergency" means any of the following events for which the governor has declared a peacetime emergency under section 12.31:

(1) an act of nature;

(2) a technological failure or malfunction;

(3) a terrorist incident;

(4) an industrial accident; or

(5) a hazardous materials accident.

Subd. 2. **Prohibition on requests.** (a) Except in the event of a sudden emergency, no government entity or individual acting on behalf of the state or a local government agency or office shall:

(1) seek from a court a reverse-location court order or a reverse-keyword court order;

(2) seek, secure, obtain, borrow, or purchase information or data obtained through a reverse-location court order or a reverse-keyword court order;

(3) make a reverse-location request or a reverse-keyword request;

(4) seek, secure, obtain, borrow, or purchase information or data obtained through a reverse-location request or a reverse-keyword request;

(5) seek the assistance of an agency of the federal government or an agency of the government of another state or subdivision of that state to obtain information or data from a reverse-location court order, reverse-keyword court order, reverse-location request, or

reverse-keyword request if the government entity would be barred from directly seeking the information under this section; or

(6) enforce, assist with the enforcement of, or otherwise honor a reverse-keyword court order, reverse-location court order, reverse-location request, or reverse-keyword request issued in another state.

(b) No court shall issue a reverse-keyword court order or reverse-location court order, or enforce, assist with the enforcement of, or otherwise honor a reverse-keyword court order or reverse-location court order issued in another state except in the event of a sudden emergency.

(c) The failure of a government entity or individual acting on behalf of a government entity to comply with a reverse-keyword court order, reverse-location court order, reverse-location request, or reverse-keyword request issued in or originating from Minnesota or any other state must not be the basis for contempt under section 588.01.

Subd. 3. **Evidence derived from data.** Except as proof of a violation of this section, no record or information obtained, accessed, or otherwise secured in violation of this section, nor any evidence derived in violation of this section, shall be admissible in a criminal, civil, administrative, or other proceeding. For the purposes of this section, a record, information, or evidence is derived from a reverse-location court order, reverse-keyword court order, reverse-location request, or reverse-keyword request where the government entity or individual acting on behalf of a government agency or office would not have originally possessed the information or evidence but for the violative court order or request and, regardless of any claim that the record, information, or evidence is attenuated from the unlawful order or request, would inevitably have been discovered, or was subsequently reobtained through other means.

Subd. 4. **Civil action.** (a) A person whose name or other identifying information was obtained by a government entity in violation of this section shall be notified of the violation in writing. The notification must come from the government entity who committed the violation or who employs the individual who committed the violation and include the legal recourse available to that person under paragraph (b).

(b) A person whose name or other identifying information was obtained by a government entity in violation of this section may bring a civil action against the government entity and the court may award the following relief:

(1) $1,000 per violation or actual damages, whichever is greater;

(2) punitive damages consistent with section 549.191;

(3) injunctive or declaratory relief;

(4) attorney fees and costs to a prevailing plaintiff; and

(5) any other relief the court deems necessary.

(c) An action filed pursuant to this section may be commenced (1) in the county in which the individual alleging damage or seeking relief resides, or (2) in the county wherein the political subdivision exists or, in the case of the state, any county.