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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. **1567**

02/26/2025 Authored by Duran, Novotny, Stier, Engen, Joy and others
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy
03/17/2025 Adoption of Report: Amended and re-referred to the Committee on Judiciary Finance and Civil Law
04/01/2025 Adoption of Report: Amended and re-referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to government data practices; providing personal information protections
1.3 to public safety officers; amending Minnesota Statutes 2024, section 609.5151;
1.4 proposing coding for new law in Minnesota Statutes, chapters 13; 626.

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

1.6 Section 1. **[13.807] PUBLIC SAFETY OFFICER DATA; PERSONAL**
1.7 **INFORMATION.**

1.8 (a) Subject to paragraph (b), the personal information of all public safety officers
1.9 collected, created, or maintained by a government entity is private data on individuals. For
1.10 purposes of this section, the terms "personal information" and "public safety officer" have
1.11 the meanings given in section 626.97, subdivision 1.

1.12 (b) If the responsible authority or government entity violates this chapter, the remedies
1.13 and penalties under this chapter are available only if the public safety officer making a claim
1.14 previously provided written notification to the responsible authority confirming on a form
1.15 provided by the commissioner of the Department of Public Safety that they are entitled to
1.16 protection under section 626.97. If the subject of the data is an adult child of a public safety
1.17 officer who does not reside with the public safety officer, the remedies and penalties under
1.18 this chapter are available only if the adult child previously provided written notification to
1.19 the responsible authority confirming their status as the child of a public safety officer. In
1.20 the case of county records, the form shall be filed with the responsible authority that maintains
1.21 the personal information for which the public safety officer is seeking protection. A form
1.22 submitted under this section is private data on individuals. A notice filed under this paragraph

2.1 expires five years following the date of filing, unless it is renewed prior to the expiration
 2.2 date.

2.3 (c) This section shall not apply to personal information contained in:

2.4 (1) real property records as defined in section 13.045, subdivision 1, clause (5);

2.5 (2) Uniform Commercial Code filings and tax liens maintained by the secretary of state;
 2.6 and

2.7 (3) any other records maintained by a government entity evidencing title to, or any lien,
 2.8 judgment, or other encumbrance on, real or personal property.

2.9 Sec. 2. Minnesota Statutes 2024, section 609.5151, is amended to read:

2.10 **609.5151 DISSEMINATION OF PERSONAL INFORMATION ABOUT ~~LAW~~**
 2.11 **~~ENFORCEMENT~~ CERTAIN PERSONS INVOLVED IN PUBLIC SAFETY**
 2.12 **PROHIBITED; PENALTY.**

2.13 Subdivision 1. **Definitions.** As used in this section:

2.14 (1) "correctional officer" has the meaning given in section 241.026, subdivision 1,
 2.15 paragraph (b);

2.16 (2) "family or household member" has the meaning given in section 518B.01, subdivision
 2.17 2;

2.18 ~~(2)~~(3) "law enforcement official" means both peace officers as defined in section 626.84,
 2.19 subdivision 1, and persons employed by a law enforcement agency; and

2.20 ~~(3)~~(4) "personal information" means a home telephone number, personal cell number,
 2.21 personal email address, name of the official's minor child, photographs of the official's
 2.22 minor child, home address, directions to a home, or photographs of a home; and

2.23 (5) "public safety official" means a correctional officer or a law enforcement official.

2.24 Subd. 2. **Crime described.** (a) It is a misdemeanor for a person to knowingly and without
 2.25 consent make publicly available, including but not limited to through the Internet, personal
 2.26 information about a ~~law enforcement~~ public safety official or an official's family or household
 2.27 member, if:

2.28 (1) the public availability of information poses an imminent and serious threat to the
 2.29 official's safety or the safety of an official's family or household member; and

2.30 (2) the person making the information publicly available knows or reasonably should
 2.31 know of the imminent and serious threat.

3.1 (b) A person who is convicted of a second or subsequent violation of this section is
3.2 guilty of a gross misdemeanor.

3.3 (c) A person is guilty of a ~~gross misdemeanor~~ felony if the person violates paragraph
3.4 (a) and a ~~law enforcement~~ public safety official or an official's family or household member
3.5 suffers great bodily harm or death as a result of the violation.

3.6 (e) ~~A person who is convicted of a second or subsequent violation of this section is guilty~~
3.7 ~~of a gross misdemeanor.~~

3.8 EFFECTIVE DATE. This section is effective August 1, 2025, and applies to crimes
3.9 committed on or after that date.

3.10 Sec. 3. [626.97] PERSONAL INFORMATION; DISSEMINATION.

3.11 Subdivision 1. Definitions. (a) For purposes of this section and section 626.971, the
3.12 following terms have the meanings given.

3.13 (b) "Correctional officer" has the meaning given in section 241.026, subdivision 1,
3.14 paragraph (b).

3.15 (c) "Law enforcement support organizations" do not include charitable organizations.

3.16 (d) "Peace officer" means a person who is licensed under section 626.84, subdivision
3.17 1, paragraph (c).

3.18 (e) "Personal information" does not include publicly available information. Personal
3.19 information means:

3.20 (1) a residential address of a public safety officer;

3.21 (2) a residential address of the spouse, domestic partner, or children of a public safety
3.22 officer;

3.23 (3) a nonemployer-issued telephone number or email address of a public safety officer;

3.24 (4) the name of any child of a public safety officer;

3.25 (5) the name of any child care facility or school that is attended by a child of a public
3.26 safety officer if combined with an assertion that the named facility or school is attended by
3.27 the child of a public safety officer; and

3.28 (6) data about a public safety officer that is classified as private data on individuals under
3.29 section 13.43, subdivision 5, including but not limited to the officer's name.

4.1 (f) "Public safety officer" means a peace officer, a correctional officer, a former peace
4.2 officer, or a former correctional officer.

4.3 (g) "Publicly available information" means information that is lawfully made available
4.4 through federal, state, or local government records or information that a business has a
4.5 reasonable basis to believe is lawfully made available to the general public through widely
4.6 distributed media, by a public safety officer, or by a person to whom the public safety officer
4.7 has disclosed the information, unless the public safety officer has restricted the information
4.8 to a specific audience.

4.9 Subd. 2. **Dissemination of personal information.** Subject to the exceptions in
4.10 subdivision 3 and the requirements of section 626.971, no person, business, association, or
4.11 government entity shall knowingly publicly post, display, publish, sell, or otherwise make
4.12 available on the Internet the personal information of any public safety officer. Personal
4.13 information shall be kept in a secure manner to prevent unauthorized access. Personal
4.14 information may be disseminated pursuant to a specific authorization in law, rule, or with
4.15 the written consent of the public safety officer.

4.16 Subd. 3. **Exceptions.** Subdivision 2 does not apply to:

4.17 (1) the dissemination of personal information if the information is relevant to and
4.18 displayed as part of a news story, commentary, editorial, or other speech on a matter of
4.19 public concern;

4.20 (2) personal information that the public safety officer voluntarily disseminates publicly
4.21 after August 1, 2024;

4.22 (3) the dissemination of personal information made at the request of the public safety
4.23 officer or that is necessary to effectuate the request of a public safety officer;

4.24 (4) a commercial entity using personal information internally, providing access to
4.25 businesses under common ownership or affiliated by corporate control, or selling or providing
4.26 data for a transaction or service requested by or concerning the individual whose personal
4.27 information is being transferred;

4.28 (5) a commercial entity providing publicly available information through real-time or
4.29 near real-time alert services for health or safety purposes;

4.30 (6) a commercial entity engaged in the collection, maintenance, disclosure, sale,
4.31 communication, or use of any personal information bearing on a consumer's credit worthiness,
4.32 credit standing, credit capacity, character, general reputation, personal characteristics, or
4.33 mode of living by a consumer reporting agency, furnisher, or user that provides information

5.1 for use in a consumer report, and by a user of a consumer report, but only to the extent that
5.2 such activity is regulated by and authorized under the federal Fair Credit Reporting Act,
5.3 United States Code, title 15, section 1681, et seq.;

5.4 (7) a consumer reporting agency subject to the federal Fair Credit Reporting Act, United
5.5 States Code, title 15, section 1681, et seq.;

5.6 (8) a commercial entity using personal information collected, processed, sold, or disclosed
5.7 in compliance with the federal Driver's Privacy Protection Act of 1994, United States Code,
5.8 title 18, section 2721, et seq.;

5.9 (9) a commercial entity using personal information to prevent, detect, protect against,
5.10 or respond to security incidents, identity theft, fraud, harassment, malicious or deceptive
5.11 activities, or any illegal activity; preserve the integrity or security of systems; or investigate,
5.12 report, or prosecute any person responsible for any such action;

5.13 (10) a financial institution, affiliate of a financial institution, or data subject to title V
5.14 of the federal Gramm-Leach-Bliley Act, United States Code, title 15, section 6801, et seq.;

5.15 (11) a covered entity or business associate for purposes of the federal privacy regulations
5.16 promulgated under the federal Health Insurance Portability and Accountability Act of 1996,
5.17 specifically United States Code, title 42, section 1320d-2 note;

5.18 (12) insurance and insurance support organizations;

5.19 (13) law enforcement agencies or law enforcement support organizations and vendors
5.20 that provide data support services to law enforcement agencies;

5.21 (14) the collection and sale or licensing of covered information incidental to conducting
5.22 the activities described in clauses (4) to (13); and

5.23 (15) personal information contained in:

5.24 (i) real property records as defined in section 13.045, subdivision 1, clause (5);

5.25 (ii) uniform commercial code filings and tax liens maintained by the secretary of state;

5.26 and

5.27 (iii) any other records maintained by a government entity evidencing title to, or any lien,
5.28 judgment, or other encumbrance on, real or personal property.

5.29 **EFFECTIVE DATE.** This section is effective August 1, 2025.

6.1 Sec. 4. [626.971] REMOVAL OF PERSONAL INFORMATION.

6.2 Subdivision 1. Internet dissemination. If personal information about a public safety
6.3 officer is publicly posted to the Internet by a person, business, association, or government
6.4 entity, the public safety officer may submit a sworn affidavit to the person, business,
6.5 association, or government entity requesting that the publicly posted personal information
6.6 be removed. The affidavit shall:

6.7 (1) state that the individual whose information was disseminated is a public safety officer
6.8 as defined in section 626.97;

6.9 (2) describe with specificity the personal information that the public safety officer seeks
6.10 to remove; and

6.11 (3) state the name of the publication, website, or otherwise identify where the public
6.12 safety officer's personal information is available to the public.

6.13 Subd. 2. Removal of personal information; exception. (a) Upon receipt of an affidavit
6.14 requesting removal of the personal information of a public safety officer that meets the
6.15 requirements of subdivision 1, the person, business, association, or government entity shall
6.16 remove the publicly posted personal information within 30 days. If the person, business,
6.17 association, or government entity fails to remove the publicly posted personal information
6.18 within 30 days after an affidavit is submitted, the public safety officer may file a civil action
6.19 in a court of competent jurisdiction seeking a court order compelling compliance, including
6.20 injunctive and declarative relief.

6.21 (b) Paragraph (a) shall not apply to personal information contained in:

6.22 (1) real property records as defined in section 13.045, subdivision 1, clause (5);

6.23 (2) Uniform Commercial Code filings and tax liens maintained by the secretary of state;
6.24 and

6.25 (3) any other records maintained by a government entity evidencing title to, or any lien,
6.26 judgment, or other encumbrance on, real or personal property.

6.27 Subd. 3. Penalties and damages. If a person, business, association, or government entity
6.28 knowingly violates an order granting injunctive or declarative relief, the court issuing the
6.29 order may award to the public safety officer an amount equal to the actual damages sustained
6.30 by the public safety officer, and court costs and reasonable attorney fees.

6.31 EFFECTIVE DATE. This section is effective August 1, 2025.