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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 2938

04/01/2025 Authored by Duran and Feist 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 data practices; permitting access to unredacted portable recording system
1.3 data related to collision investigations; amending Minnesota Statutes 2024, section
1.4 13.825, subdivision 4.

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

1.6 Section 1. Minnesota Statutes 2024, section 13.825, subdivision 4, is amended to read:

1.7 Subd. 4. Access by data subjects. (a) For purposes of this chapter, a portable recording
1.8 system data subject includes the peace officer who collected the data, and any other individual
1.9 or entity, including any other peace officer, regardless of whether the officer is or can be
1.10 identified by the recording, whose image or voice is documented in the data.

1.11 (b) An individual who is the subject of portable recording system data has access to the
1.12 data, including data on other individuals who are the subject of the recording. If the individual
1.13 requests a copy of the recording, data on other individuals who do not consent to its release
1.14 must be redacted from the copy. The identity and activities of an on-duty peace officer
1.15 engaged in an investigation or response to an emergency, incident, or request for service
1.16 may not be redacted, unless the officer's identity is subject to protection under section 13.82,
1.17 subdivision 17, clause (a).

1.18 (c) Notwithstanding section 13.82, subdivision 7, a person entitled to a report of a
1.19 collision under section 169.09, subdivision 13, must be provided with copies of unredacted
1.20 data from all portable recording systems used in the collision investigation, including data
1.21 on other individuals who are the subject of the recording. A law enforcement agency may
1.22 deny a request to provide unredacted portable recording system data under this paragraph
1.23 if:

2.1 (1) the agency determines there is a compelling reason that providing access to the data  
2.2 would interfere with an active investigation;

2.3 (2) the data is clearly offensive to common sensibilities; or

2.4 (3) the data is classified as not public by other provisions under this chapter.

2.5 If a law enforcement agency denies access under clause (1), the agency must provide a  
2.6 prompt, written reason for the denial to the individual who requested the data with a  
2.7 description of the compelling reason and must provide notice that relief may be sought from  
2.8 the district court under section 13.82, subdivision 7.