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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1488

02/22/2021 Authored by Scott, Elkins, Feist, Lucero and Moller
The bill was read for the first time and referred to the Committee on State Government Finance and Elections

1.1 A bill for an act
1.2 relating to state government; reestablishing a Legislative Commission on Data
1.3 Practices and Personal Data Privacy; proposing coding for new law in Minnesota
1.4 Statutes, chapter 3.

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

1.6 Section 1. 3.8844 LEGISLATIVE COMMISSION ON DATA PRACTICES.

1.7 Subdivision 1. Established. The Legislative Commission on Data Practices and Personal
1.8 Data Privacy is created to study issues relating to government data practices and individuals'
1.9 personal data privacy rights and to review legislation impacting data practices, data security,
1.10 and personal data privacy. The commission is a continuation of the commission that was
1.11 established by Laws 2014, chapter 193, as amended, and which expired June 30, 2019.

1.12 Subd. 2. Membership. The commission consists of four senators appointed by the senate
1.13 Subcommittee on Committees of the Committee on Rules and Administration, and four
1.14 members of the house of representatives appointed by the speaker. Two members from each
1.15 chamber must be from the majority party in that chamber and two members from each
1.16 chamber must be from the minority party in that chamber. Each appointing authority must
1.17 make appointments as soon as possible after the beginning of the regular legislative session
1.18 in the odd-numbered year. The ranking senator from the majority party appointed to the
1.19 commission must convene the first meeting of a biennium by February 15 in the
1.20 odd-numbered year. The commission may elect up to four former legislators who have
1.21 demonstrated an interest in, or have a history of working in, the areas of government data
1.22 practices and personal data privacy to serve as nonvoting members of the commission. The

2.1 former legislators must not be registered lobbyists and shall be compensated as provided
2.2 under section 15.0575, subdivision 3.

2.3 Subd. 3. **Terms; vacancies.** Members of the commission serve for terms beginning upon
2.4 appointment and ending at the beginning of the regular legislative session in the next
2.5 odd-numbered year. The appropriate appointing authority must fill a vacancy for a seat of
2.6 a current legislator for the remainder of the unexpired term.

2.7 Subd. 4. **Officers.** The commission must elect a chair and may elect other officers as it
2.8 determines are necessary. The chair alternates between a member of the senate and a member
2.9 of the house of representatives in January of each odd-numbered year.

2.10 Subd. 5. **Staff.** Legislative staff must provide administrative and research assistance to
2.11 the commission. The Legislative Coordinating Commission may, if funding is available,
2.12 appoint staff to provide research assistance.

2.13 Subd. 6. **Duties.** The commission shall:

2.14 (1) review and provide the legislature with research and analysis of emerging issues
2.15 relating to government data practices and security and privacy of personal data;

2.16 (2) review and make recommendations on legislative proposals relating to the Minnesota
2.17 Government Data Practices Act; and

2.18 (3) review and make recommendations on legislative proposals impacting personal data
2.19 privacy rights, data security, and other related issues.

2.20 **EFFECTIVE DATE.** This section is effective the day following final enactment. Initial
2.21 members of the commission serve for a term ending in January 2023. A member of the
2.22 house of representatives shall serve as the first chair of the commission. A member of the
2.23 senate shall serve as chair of the commission beginning in January 2023.

2.24 Sec. 2. **INITIAL APPOINTMENTS AND MEETINGS.**

2.25 Appointing authorities for the Legislative Commission on Data Practices under Minnesota
2.26 Statutes, section 3.8844, must make initial appointments by June 1, 2021. The speaker of
2.27 the house of representatives must designate one member of the commission to convene the
2.28 first meeting of the commission by June 15, 2021.