

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2138

02/25/2014 Authored by Holberg and Pugh

The bill was read for the first time and referred to the Committee on Civil Law

1.1 A bill for an act
1.2 relating to data practices; requiring databases maintained by a government
1.3 entity to track user access; amending Minnesota Statutes 2012, section 13.05,
1.4 subdivision 5.

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

1.6 Section 1. Minnesota Statutes 2012, section 13.05, subdivision 5, is amended to read:

1.7 Subd. 5. **Data protection.** (a) The responsible authority shall (1) establish
1.8 procedures to assure that all data on individuals is accurate, complete, and current for the
1.9 purposes for which it was collected; and (2) establish appropriate security safeguards for
1.10 all records containing data on individuals.

1.11 (b) When not public data is being disposed of, the data must be destroyed in a way
1.12 that prevents its contents from being determined.

1.13 (c) No later than January 1, 2020, any database maintained by a government entity
1.14 that contains private or confidential data on individuals must have the capacity, within
1.15 each individual record, to track the identities of users who access the data, including the
1.16 date and time the data were accessed and the purpose for which the access occurred. These
1.17 data maintain the same classification as the underlying individual record and may be
1.18 accessed by the responsible authority at any time for purposes of auditing the database's
1.19 user activity and security safeguards.