

This Document can be made available in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2940

03/10/2014 Authored by Lesch

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; restricting the possession and use of electronic device
1.3 surveillance equipment; proposing coding for new law in Minnesota Statutes,
1.4 chapter 299C.

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

1.6 Section 1. [299C.26] ELECTRONIC DEVICE SURVEILLANCE EQUIPMENT.

1.7 Subdivision 1. **Possession.** The Bureau of Criminal Apprehension is the sole
1.8 governmental entity authorized to own or possess a piece of electronic device surveillance
1.9 equipment.

1.10 Subd. 2. **Temporary use.** Upon written application, the superintendent may
1.11 authorize a law enforcement agency to use a piece of electronic device surveillance
1.12 equipment controlled by the bureau for investigatory purposes. The application must
1.13 contain a detailed explanation of the designated investigation and include copies of valid
1.14 search warrants, when required by law.

1.15 Subd. 3. **Surrender.** An agency, other than the bureau, that possesses a piece of
1.16 electronic device surveillance equipment on the effective date of this law, must surrender
1.17 the device to the superintendent within 30 days of the law taking effect.

1.18 Subd. 4. **Definitions.** (a) As used in this section, the terms defined in this
1.19 subdivision have the meanings given them.

1.20 (b) "Electronic communication service" has the meaning given in section 626A.01,
1.21 subdivision 17.

1.22 (c) "Electronic device" means a device that enables access to or use of an electronic
1.23 communication service, remote computing service, or location information service.

2.1 (d) "Electronic device surveillance equipment" means a device capable of tracking
2.2 the location or recording the location information of an electronic device.

2.3 (e) "Location information" means information concerning the location of an
2.4 electronic device that, in whole or in part, is generated or derived from or obtained by the
2.5 operation of an electronic device.

2.6 (f) "Location information service" means the provision of a global positioning
2.7 service or other mapping, locational, or directional information service.

2.8 (g) "Remote computing service" has the meaning given in section 626A.34.

2.9 **EFFECTIVE DATE.** This act is effective the day following final enactment.