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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 398

02/13/2025 Authored by Scott and Stephenson 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 government data practices; creating general data audit trail requirements
1.3 for not public data; amending Minnesota Statutes 2024, section 13.05, by adding
1.4 a subdivision.

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

1.6 Section 1. Minnesota Statutes 2024, section 13.05, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 5a. Audit trail required. (a) The responsible authority shall establish procedures
1.9 to ensure that all actions in which not public data are created, received, changed, accessed,
1.10 shared, or disseminated are recorded in a data audit trail. In addition, an audit trail must
1.11 record:

1.12 (1) the date of the action;

1.13 (2) the identity of the person interacting with the data;

1.14 (3) for data received from another government entity or person, the identity of the sending
1.15 government entity or person; and

1.16 (4) for data shared or disseminated outside the government entity, the identity of the
1.17 receiving government entity or person.

1.18 (b) Data contained in an audit trail shall have the same classification as the underlying
1.19 data tracked by the audit trail.

1.20 (c) Notwithstanding section 138.17, an audit trail must be retained for not less than ten
1.21 years or until the underlying data tracked by the audit trail is destroyed pursuant to the
1.22 government entity's approved records retention schedule.

2.1 (d) This section does not supersede other audit trail requirements in state law. Any
2.2 conflict between this subdivision and other audit trail requirements in state law shall be
2.3 resolved pursuant to section 645.26, subdivision 1.

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