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State of Minnesota  
HOUSE OF REPRESENTATIVES  
NINETIETH SESSION

H. F. No. **4166**

03/22/2018 Authored by Howe and Freiberg  
The bill was read for the first time and referred to the Committee on Civil Law and Data Practices Policy

1.1 A bill for an act  
1.2 relating to data practices; classifying certain inactive criminal investigative data  
1.3 as private data; amending Minnesota Statutes 2016, section 13.82, by adding a  
1.4 subdivision.

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

1.6 Section 1. Minnesota Statutes 2016, section 13.82, is amended by adding a subdivision  
1.7 to read:

1.8 Subd. 7a. **Protection of personal privacy.** Upon request of the subject of the data,  
1.9 inactive investigative data are private data on individuals if the law enforcement agency  
1.10 reasonably determines that the data were not relevant to the preparation or prosecution of  
1.11 the case for which the data were collected or created and:

1.12 (1) the interest of the subject of the data in not releasing the data outweighs the interest  
1.13 of the public in disclosure; or

1.14 (2) release of the data would constitute an unwarranted invasion of the privacy of the  
1.15 subject of the data.

1.16 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following  
1.17 final enactment and applies to requests for access to the data made before, on, or after the  
1.18 effective date and to cases pending on or commenced on or after the effective date.