

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 596

(SENATE AUTHORS: NIENOW)

DATE	D-PG	OFFICIAL STATUS
02/21/2013	344	Introduction and first reading Referred to Jobs, Agriculture and Rural Development

A bill for an act
relating to employment; prohibiting employers from requiring social network
passwords as a condition of employment; amending Minnesota Statutes 2012,
section 181.53.

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

Section 1. Minnesota Statutes 2012, section 181.53, is amended to read:

181.53 CONDITIONS PRECEDENT TO EMPLOYMENT NOT REQUIRED.

(a) No person, whether acting directly or through an agent, or as the agent or
employee of another, shall require as a condition precedent to employment any written
statement as to the participation of the applicant in a strike, or as to a personal record, save
as to conviction of a public offense, for more than one year immediately preceding the date
of application therefor; nor shall any person, acting in any of the aforesaid capacities, use
or require blanks or forms of application for employment in contravention of this section.

(b) No person, whether acting directly or through an agent, shall require, as a
condition for consideration of employment, that any employee or prospective employee
provide any password or other related account information in order to gain access to the
employee's or prospective employee's account or profile on a social networking Web site.
For the purpose of this paragraph, "social networking site" means an Internet-based service
that allows individuals to: (1) construct a public or semipublic profile within a bounded
system created by the service; (2) create a list of other users with whom they share a
connection within the system; and (3) view and navigate their list of connections and those
made by others within the system. A social networking site shall not include electronic
mail. This paragraph shall not limit an employer's right to develop and maintain lawful

- 2.1 workplace policies governing the use of the employer's electronic equipment, including
- 2.2 policies regarding internet use, social networking site use, and electronic mail use.
- 2.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.