

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 1252

(SENATE AUTHORS: COHEN and Latz)

DATE	D-PG	OFFICIAL STATUS
02/14/2019	390	Introduction and first reading Referred to Judiciary and Public Safety Finance and 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 2018, 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 2018, 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 is private data on individuals if the law enforcement agency

1.10 reasonably determines that the data was not relevant to the preparation or prosecution of

1.11 the case for which the data was 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.