

160.26

ARTICLE 11

160.27

DATA PRACTICES

82.24

ARTICLE 8

82.25

GOVERNMENT DATA PRACTICES

82.26 Section 1. Minnesota Statutes 2024, section 13.03, subdivision 3, is amended to read:

82.27 Subd. 3. **Request for access to data.** (a) Upon request to a responsible authority or
82.28 designee, a person shall be permitted to inspect and copy public government data at
82.29 reasonable times and places, and, upon request, shall be informed of the data's meaning. If
82.30 a person requests access for the purpose of inspection, the responsible authority may not
82.31 assess a charge or require the requesting person to pay a fee to inspect data.

83.1 (b) For purposes of this section, "inspection" includes, but is not limited to, the visual
83.2 inspection of paper and similar types of government data. Inspection does not include
83.3 printing copies by the government entity, unless printing a copy is the only method to provide
83.4 for inspection of the data. In the case of data stored in electronic form and made available
83.5 in electronic form on a remote access basis to the public by the government entity, inspection
83.6 includes remote access to the data by the public and the ability to print copies of or download
83.7 the data on the public's own computer equipment. Nothing in this section prohibits a
83.8 government entity from charging a reasonable fee for remote access to data under a specific
83.9 statutory grant of authority. A government entity may charge a fee for remote access to data
83.10 where either the data or the access is enhanced at the request of the person seeking access.

83.11 (c) The responsible authority or designee shall provide copies of public data upon request.
83.12 If a person requests copies or electronic transmittal of the data to the person, the responsible
83.13 authority may require the requesting person to pay the actual costs of searching for and
83.14 retrieving government data, including the cost of employee time, and for making, certifying,
83.15 and electronically transmitting the copies of the data or the data, but may not charge for
83.16 separating public from not public data. However, if 100 or fewer pages of black and white,
83.17 letter or legal size paper copies are requested, actual costs shall not be used, and instead,
83.18 the responsible authority may charge no more than 25 cents for each page copied. If the
83.19 responsible authority or designee is not able to provide copies at the time a request is made,
83.20 copies shall be supplied as soon as reasonably possible.

83.21 (d) When a request under this subdivision involves any person's receipt of copies of
83.22 public government data that has commercial value and is a substantial and discrete portion
83.23 of or an entire formula, pattern, compilation, program, device, method, technique, process,
83.24 database, or system developed with a significant expenditure of public funds by the
83.25 government entity, the responsible authority may charge a reasonable fee for the information
83.26 in addition to the costs of making and certifying the copies. Any fee charged must be clearly
83.27 demonstrated by the government entity to relate to the actual development costs of the
83.28 information. The responsible authority, upon the request of any person, shall provide
83.29 sufficient documentation to explain and justify the fee being charged.

83.30 (e) The responsible authority of a government entity that maintains public government
83.31 data in a computer storage medium shall provide to any person making a request under this

160.28 Section 1. Minnesota Statutes 2024, section 13.04, subdivision 4, is amended to read:

160.29 Subd. 4. **Procedure when data is not accurate or complete.** (a) An individual subject
160.30 of the data may contest the accuracy or completeness of public or private data about
160.31 themselves.

161.1 (b) To exercise this right, an individual shall notify in writing the responsible authority
161.2 of the government entity that maintains the data, describing the nature of the disagreement.

161.3 (c) Upon receiving notification from the data subject, the responsible authority shall
161.4 within 30 days either:

161.5 (1) correct the data found to be inaccurate or incomplete and attempt to notify past
161.6 recipients of inaccurate or incomplete data, including recipients named by the individual;
161.7 or

161.8 (2) notify the individual that the responsible authority has determined the data to be
161.9 correct. If the challenged data are determined to be accurate or complete, the responsible
161.10 authority shall inform the individual of the right to appeal the determination to the
161.11 commissioner as specified under paragraph (d). Data in dispute shall be disclosed only if
161.12 the individual's statement of disagreement is included with the disclosed data.

161.13 (d) A data subject may appeal the determination of the responsible authority pursuant
161.14 to the provisions of the Administrative Procedure Act relating to contested cases. An

83.32 section a copy of any public data contained in that medium, in electronic form, if the
83.33 government entity can reasonably make the copy or have a copy made. This does not require
83.34 a government entity to provide the data in an electronic format or program that is different
84.1 from the format or program in which the data are maintained by the government entity. The
84.2 entity may require the requesting person to pay the actual cost of providing the copy.

84.3 (f) If the responsible authority or designee determines that the requested data is classified
84.4 so as to deny the requesting person access, the responsible authority or designee shall inform
84.5 the requesting person of the determination either orally at the time of the request, or in
84.6 writing as soon after that time as possible, and shall cite the specific statutory section,
84.7 temporary classification, or specific provision of federal law on which the determination is
84.8 based. Upon the request of any person denied access to data, the responsible authority or
84.9 designee shall certify in writing that the request has been denied and cite the specific statutory
84.10 section, temporary classification, or specific provision of federal law upon which the denial
84.11 was based.

84.12 (g) If a responsible authority has notified the requesting person that responsive data or
84.13 copies are available for inspection or collection, and the requesting person does not inspect
84.14 the data or collect the copies within five business days of the notification, the responsible
84.15 authority may suspend any further response to the request until the requesting person inspects
84.16 the data that has been made available, or collects and pays for the copies that have been
84.17 produced.

161.15 individual must submit an appeal to the commissioner within 60 days of the responsible
161.16 authority's notice of the right to appeal or as otherwise provided by the rules of the
161.17 commissioner. Upon receipt of an appeal by an individual, the commissioner shall, before
161.18 issuing the order and notice of a contested case hearing required by chapter 14, try to resolve
161.19 the dispute through education, conference, conciliation, or persuasion. If the parties consent,
161.20 the commissioner may refer the matter to mediation. Following these efforts, the
161.21 commissioner shall dismiss the appeal or issue the order and notice of hearing.

161.22 (e) The commissioner may dismiss an appeal without first attempting to resolve the
161.23 dispute or before issuing an order and notice of a contested case hearing if:

161.24 (1) the appeal to the commissioner is not timely;

161.25 (2) the appeal concerns data previously presented as evidence in a court proceeding in
161.26 which the data subject was a party; or

161.27 (3) the individual making the appeal is not the subject of the data challenged as inaccurate
161.28 or incomplete.

161.29 (f) A responsible authority may submit private data to the commissioner to respond to
161.30 a data subject's appeal of the determination that data are accurate and complete. Section
161.31 13.03, subdivision 4, applies to data submitted by the responsible authority. Government
161.32 data submitted to the commissioner by a government entity, copies of government data
161.33 submitted by a data subject, or government data described by the data subject in their appeal
162.1 have the same classification as the data when maintained by the government entity. The
162.2 commissioner may disclose private data contained within the appeal record to the Office
162.3 of Administrative Hearings.

162.4 ~~(f)~~ (g) Data on individuals that have been successfully challenged by an individual must
162.5 be completed, corrected, or destroyed by a government entity without regard to the
162.6 requirements of section 138.17.

162.7 ~~(g)~~ (h) After completing, correcting, or destroying successfully challenged data, a
162.8 government entity may retain a copy of the commissioner of administration's order issued
162.9 under chapter 14 or, if no order were issued, a summary of the dispute between the parties
162.10 that does not contain any particulars of the successfully challenged data.

162.11 (i) Data maintained by the commissioner that a responsible authority has completed,
162.12 corrected, or destroyed as the result of the informal resolution process described in paragraph
162.13 (d) or by order of the commissioner, are private data on individuals.

162.14 Sec. 2. Minnesota Statutes 2024, section 13.05, subdivision 5, is amended to read:

162.15 Subd. 5. **Data protection.** (a) The responsible authority shall:

162.16 (1) establish procedures to assure that all data on individuals is accurate, complete, and
162.17 current for the purposes for which it was collected;

162.18 (2) establish appropriate security safeguards for all records containing data on individuals,
162.19 including procedures for ensuring that data that ~~are~~ is not public ~~are~~ is only accessible to
162.20 persons whose work assignment reasonably requires access to the data, and is only being
162.21 accessed by those persons for purposes described in the procedure; ~~and~~

162.22 (3) develop a policy incorporating these procedures, which may include a model policy
162.23 governing access to the data if sharing of the data with other government entities is authorized
162.24 by law; and

162.25 (4) establish procedures for monitoring access to private or confidential data on
162.26 individuals.

162.27 (b) When not public data is being disposed of, the data must be destroyed in a way that
162.28 prevents its contents from being determined.

84.18 Sec. 2. Minnesota Statutes 2024, section 13.32, subdivision 2, is amended to read:

84.19 Subd. 2. **Student health and census data; ~~data on parents.~~** (a) Health data concerning
84.20 students, including but not limited to, data concerning immunizations, notations of special
84.21 physical or mental problems and records of school nurses are educational data. Access by
84.22 parents to student health data shall be pursuant to section 13.02, subdivision 8.

84.23 (b) Pupil census data, including emergency information and family information are
84.24 educational data.

84.25 ~~(c) Data concerning parents are private data on individuals but may be treated as directory~~
84.26 ~~information if the same procedures that are used by a school district to designate student~~
84.27 ~~data as directory information under subdivision 5 are followed.~~

84.28 **EFFECTIVE DATE.** This section is effective the day following final enactment.
84.29 Beginning upon the effective date of this section, a parent's personal contact information
84.30 subject to this section must be treated by an educational agency or institution as private data
84.31 on individuals regardless of whether that contact information was previously designated as
84.32 or treated as directory information under Minnesota Statutes, section 13.32, subdivision 2.

85.1 Sec. 3. Minnesota Statutes 2024, section 13.32, subdivision 5, is amended to read:

85.2 Subd. 5. **Directory information; data on parents.** (a) Educational data designated as
85.3 directory information is public data on individuals to the extent required under federal law.
85.4 Directory information must be designated pursuant to the provisions of:

85.5 (1) this subdivision; and

85.6 (2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title
85.7 34, section 99.37, which were in effect on January 3, 2012.

85.8 (b) When conducting the directory information designation and notice process required
85.9 by federal law, an educational agency or institution shall give parents and students notice
85.10 of the right to refuse to let the agency or institution designate specified data about the student
85.11 as directory information. This notice may be given by any means reasonably likely to inform
85.12 the parents and students of the right.

85.13 (c) An educational agency or institution may not designate a student's or parent's home
85.14 address, telephone number, email address, or other personal contact information as directory
85.15 information under this subdivision. This paragraph does not apply to a postsecondary
85.16 institution.

85.17 (d) When requested, educational agencies or institutions must share personal student or
85.18 parent contact information and directory information, whether public or private, with the
85.19 Minnesota Department of Education, as required for federal reporting purposes.

85.20 (e) When requested, educational agencies or institutions may share personal student or
85.21 parent contact information and directory information for students served in special education
85.22 with postsecondary transition planning and services under section 125A.08, paragraph (b),
85.23 clause (1), whether public or private, with the Department of Employment and Economic
85.24 Development, as required for coordination of services to students with disabilities under
85.25 sections 125A.08, paragraph (b), clause (1); 125A.023; and 125A.027.

85.26 (f) Data concerning parents is private data on individuals but may be treated as directory
85.27 information if the same procedures that are used by a school district to designate student
85.28 data as directory information under this subdivision are followed, except that a parent's
85.29 home address, telephone number, email address, or other personal contact information may
85.30 not be treated as directory information under this subdivision.

85.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.
85.32 Beginning upon the effective date of this section, a parent's personal contact information
85.33 subject to this section must be treated by an educational agency or institution as private data
86.1 on individuals regardless of whether that contact information was previously designated as
86.2 or treated as directory information under Minnesota Statutes, section 13.32, subdivision 2.

163.1 Sec. 3. Minnesota Statutes 2024, section 13.356, is amended to read:

163.2 **13.356 PERSONAL CONTACT AND ONLINE ACCOUNT INFORMATION.**

163.3 (a) The following data on an individual collected, maintained, or received by a
163.4 government entity for notification purposes or as part of a subscription list for an entity's
163.5 electronic periodic publications as requested by the individual are is private data on
163.6 individuals:

163.7 (1) telephone number;

163.8 (2) email address; and

- 163.9 (3) Internet user name, password, Internet protocol address, and any other similar data
163.10 related to the individual's online account or access procedures.
- 163.11 (b) Section 13.04, subdivision 2, does not apply to data classified under paragraph (a).
163.12 Paragraph (a) does not apply to data submitted by an individual to the Campaign Finance
163.13 Board to meet the legal requirements imposed by chapter 10A, to data submitted for purposes
163.14 of making a public comment, or to data in a state agency's rulemaking email list.
- 163.15 (c) Data provided under paragraph (a) may only be used for the specific purpose for
163.16 which the individual provided the data by the government entity to:
- 163.17 (1) communicate with the individual; or
163.18 (2) perform the government entity's health, safety, or welfare functions or provide
163.19 government services.
- 163.20 (d) If the data provided under paragraph (a) is also classified as private data on individuals
163.21 by other state statute, the data may be shared or disseminated as provided in the other state
163.22 statute.
- 163.23 (e) This section does not apply to data on an individual contained in a real property
163.24 record, which is any record of data that is maintained as part of the county real estate
163.25 document recording system for use by the public, data on assessments, data on real or
163.26 personal property taxation, and other data on real property.
- 163.27 Sec. 4. Minnesota Statutes 2024, section 13.40, subdivision 2, is amended to read:
- 163.28 Subd. 2. **Private data; library borrowers patrons.** (a) Except as provided in paragraph
163.29 (b), the following data maintained by a library ~~are~~ is private data on individuals and may
163.30 not be disclosed ~~for~~ other than for library purposes except pursuant to a court order or section
163.31 13.05:
- 164.1 (1) data that link a library patron's name with materials requested or borrowed by the
164.2 patron or that link a patron's name with a specific subject about which the patron has
164.3 requested information or materials; ~~or~~
- 164.4 (2) data in applications for patron borrower cards, other than the name of the ~~borrower~~
164.5 patron if the patron is 18 years of age or older; or
- 164.6 (3) the name of a patron who is a minor.
- 164.7 (b) A library may release reserved materials to a family member or other person who
164.8 resides with a library patron and who is picking up the material on behalf of the patron. A
164.9 patron may request that reserved materials be released only to the patron.
- 164.10 (c) Section 13.04, subdivision 2, does not apply to data classified under paragraph (a),
164.11 clause (3).

164.12 Sec. 5. Minnesota Statutes 2024, section 13.43, subdivision 2, is amended to read:

164.13 Subd. 2. **Public data.** (a) Except for employees described in subdivision 5 and subject
164.14 to the limitations described in subdivision 5a, the following personnel data on current and
164.15 former employees, volunteers, and independent contractors of a government entity is public:

164.16 (1) name; employee identification number, which must not be the employee's Social
164.17 Security number; actual gross salary; salary range; terms and conditions of employment
164.18 relationship; contract fees; actual gross pension; the value and nature of employer paid
164.19 fringe benefits; and the basis for and the amount of any added remuneration, including
164.20 expense reimbursement, in addition to salary;

164.21 (2) job title and bargaining unit; job description; education and training background;
164.22 and previous work experience;

164.23 (3) date of first and last employment;

164.24 (4) the existence and status of any complaints or charges against the employee, regardless
164.25 of whether the complaint or charge resulted in a disciplinary action;

164.26 (5) the final disposition of any disciplinary action together with the specific reasons for
164.27 the action and data documenting the basis of the action, excluding data that would identify
164.28 confidential sources who are employees of the public body;

164.29 (6) the complete terms of any agreement settling any dispute arising out of an employment
164.30 relationship, including a buyout agreement as defined in section 123B.143, subdivision 2,
164.31 paragraph (a); except that the agreement must include specific reasons for the agreement if
164.32 it involves the payment of more than \$10,000 of public money;

165.1 (7) work location; a work telephone number; badge number; work-related continuing
165.2 education; and honors and awards received; and

165.3 (8) payroll time sheets or other comparable data that are only used to account for
165.4 employee's work time for payroll purposes, except to the extent that release of time sheet
165.5 data would reveal the employee's reasons for the use of sick or other medical leave or other
165.6 not public data.

165.7 (b) For purposes of this subdivision, a final disposition occurs when the government
165.8 entity makes its final decision about the disciplinary action, regardless of the possibility of
165.9 any later proceedings or court proceedings. Final disposition includes a resignation by an
165.10 individual when the resignation occurs after the final decision of the government entity, or
165.11 arbitrator. In the case of arbitration proceedings arising under collective bargaining
165.12 agreements, a final disposition occurs at the conclusion of the arbitration proceedings, or
165.13 upon the failure of the employee to elect arbitration within the time provided by the collective
165.14 bargaining agreement. A disciplinary action does not become public data if an arbitrator
165.15 sustains a grievance and reverses all aspects of any disciplinary action.

86.3 Sec. 4. Minnesota Statutes 2024, section 13.43, subdivision 2, is amended to read:

86.4 Subd. 2. **Public data.** (a) Except for employees described in subdivision 5 and subject
86.5 to the limitations described in subdivision 5a, the following personnel data on current and
86.6 former employees, volunteers, and independent contractors of a government entity is public:

86.7 (1) name; employee identification number, which must not be the employee's Social
86.8 Security number; actual gross salary; salary range; terms and conditions of employment
86.9 relationship; contract fees; actual gross pension; the value and nature of employer paid
86.10 fringe benefits; and the basis for and the amount of any added remuneration, including
86.11 expense reimbursement, in addition to salary;

86.12 (2) job title and bargaining unit; job description; education and training background;
86.13 and previous work experience;

86.14 (3) date of first and last employment;

86.15 (4) the existence and status of any complaints or charges against the employee, regardless
86.16 of whether the complaint or charge resulted in a disciplinary action;

86.17 (5) the final disposition of any disciplinary action together with the specific reasons for
86.18 the action and data documenting the basis of the action, excluding data that would identify
86.19 confidential sources who are employees of the public body;

86.20 (6) the complete terms of any agreement settling any dispute arising out of an employment
86.21 relationship, including a buyout agreement as defined in section 123B.143, subdivision 2,
86.22 paragraph (a); except that the agreement must include specific reasons for the agreement if
86.23 it involves the payment of more than \$10,000 of public money;

86.24 (7) work location; a work telephone number; badge number; work-related continuing
86.25 education; and honors and awards received; and

86.26 (8) payroll time sheets or other comparable data that are only used to account for
86.27 employee's work time for payroll purposes, except to the extent that release of time sheet
86.28 data would reveal the employee's reasons for the use of sick or other medical leave or other
86.29 not public data.

86.30 (b) For purposes of this subdivision, a final disposition occurs when the government
86.31 entity makes its final decision about the disciplinary action, regardless of the possibility of
86.32 any later proceedings or court proceedings. Final disposition includes a resignation by an
87.1 individual when the resignation occurs after the final decision of the government entity, or
87.2 arbitrator. In the case of arbitration proceedings arising under collective bargaining
87.3 agreements, a final disposition occurs at the conclusion of the arbitration proceedings, or
87.4 upon the failure of the employee to elect arbitration within the time provided by the collective
87.5 bargaining agreement. A disciplinary action does not become public data if an arbitrator
87.6 sustains a grievance and reverses all aspects of any disciplinary action.

165.16 (c) The government entity may display a photograph of a current or former employee
165.17 to a prospective witness as part of the government entity's investigation of any complaint
165.18 or charge against the employee.

165.19 (d) A complainant has access to a statement provided by the complainant to a government
165.20 entity in connection with a complaint or charge against an employee.

165.21 (e) Notwithstanding paragraph (a), clause (5), and subject to paragraph (f), upon
165.22 completion of an investigation of a complaint or charge against a public official, or if a
165.23 public official resigns or is terminated from employment while the complaint or charge is
165.24 pending, all data relating to the complaint or charge are public, unless access to the data
165.25 would jeopardize an active investigation or reveal confidential sources. For purposes of this
165.26 paragraph, "public official" means:

165.27 (1) the head of a state agency and deputy and assistant state agency heads;

165.28 (2) members of boards or commissions required by law to be appointed by the governor
165.29 or other elective officers;

165.30 ~~(3) executive or administrative heads of departments, bureaus, divisions, or institutions~~
165.31 ~~within state government; and~~

165.32 ~~(4) the following employees:~~

166.1 (i) the chief administrative officer, or the individual acting in an equivalent position, in
166.2 all political subdivisions;

166.3 (ii) individuals required to be identified by a political subdivision pursuant to section
166.4 471.701;

166.5 (iii) in a city ~~with a population of more than 7,500~~ or a county ~~with a population of more~~
166.6 ~~than 5,000~~; managers; chiefs; heads or directors of departments, divisions, bureaus, or
166.7 boards; and any equivalent position; ~~and~~

166.8 (iv) in a school district: business managers; human resource directors; athletic directors
166.9 whose duties include at least 50 percent of their time spent in administration, personnel,
166.10 supervision, and evaluation; chief financial officers; directors; individuals defined as
166.11 superintendents and principals under Minnesota Rules, part 3512.0100; and in a charter
166.12 school, individuals employed in comparable positions.

87.7 (c) The government entity may display a photograph of a current or former employee
87.8 to a prospective witness as part of the government entity's investigation of any complaint
87.9 or charge against the employee.

87.10 (d) A complainant has access to a statement provided by the complainant to a government
87.11 entity in connection with a complaint or charge against an employee.

87.12 (e) Notwithstanding paragraph (a), clause (5), and subject to paragraph (f), upon
87.13 completion of an investigation of a complaint or charge against a public official, or if a
87.14 public official resigns or is terminated from employment while the complaint or charge is
87.15 pending, all data relating to the complaint or charge are public, unless access to the data
87.16 would jeopardize an active investigation or reveal confidential sources. For purposes of this
87.17 paragraph, "public official" means:

87.18 (1) the head of a state agency and deputy and assistant state agency heads;

87.19 (2) members of boards or commissions required by law to be appointed by the governor
87.20 or other elective officers;

87.21 (3) members of the Metropolitan Council appointed by the governor under section
87.22 473.123, subdivision 3;

87.23 ~~(3)(4) executive or administrative heads of departments, bureaus, divisions, or institutions~~
87.24 ~~within state government; and~~

87.25 ~~(4)(5) the following employees:~~

87.26 (i) the chief administrative officer, or the individual acting in an equivalent position, in
87.27 all political subdivisions;

87.28 (ii) individuals required to be identified by a political subdivision pursuant to section
87.29 471.701;

87.30 (iii) in a city ~~with a population of more than 7,500~~ or a county ~~with a population of more~~
87.31 ~~than 5,000~~; managers; chiefs; heads or directors of departments, divisions, bureaus, or
87.32 boards; and any equivalent position; ~~and~~

88.1 (iv) in a school district: business managers; human resource directors; athletic directors
88.2 whose duties include at least 50 percent of their time spent in administration, personnel,
88.3 supervision, and evaluation; chief financial officers; directors; individuals defined as
88.4 superintendents and principals under Minnesota Rules, part 3512.0100; and in a charter
88.5 school, individuals employed in comparable positions; ~~and~~

88.6 (v) in the Metropolitan Council, a public corporation and political subdivision of the
88.7 state established under chapter 473: the chair of the Metropolitan Council appointed by the
88.8 governor; the regional administrator appointed as the principal administrative officer by the
88.9 Metropolitan Council under section 473.125; the deputy regional administrator; the general
88.10 counsel appointed by the Metropolitan Council under section 473.123, subdivision 8; the

166.13 (f) Data relating to a complaint or charge against an employee identified under paragraph
166.14 (e), clause (4), are public only if:

166.15 (1) the complaint or charge results in disciplinary action or the employee resigns or is
166.16 terminated from employment while the complaint or charge is pending; or

166.17 (2) potential legal claims arising out of the conduct that is the subject of the complaint
166.18 or charge are released as part of a settlement agreement.

166.19 This paragraph and paragraph (e) do not authorize the release of data that are made not
166.20 public under other law.

166.21 Sec. 6. Minnesota Statutes 2024, section 13.82, subdivision 7, is amended to read:

166.22 Subd. 7. **Criminal investigative data.** Except for the data defined in subdivisions 2, 3,
166.23 and 6, investigative data collected or created by a law enforcement agency in order to prepare
166.24 a case against a person, whether known or unknown, for the commission of a crime or other
166.25 offense for which the agency has primary investigative responsibility are confidential or
166.26 protected nonpublic while the investigation is active. Inactive investigative data are public
166.27 unless the release of the data would jeopardize another ongoing investigation or would
166.28 reveal the identity of individuals protected under subdivision 17. Images and recordings,
166.29 including photographs, video, and audio records, which are part of inactive investigative
166.30 files and which are clearly offensive to common sensibilities are classified as private or
166.31 nonpublic data, provided that the existence of the images and recordings shall be disclosed
166.32 to any person requesting access to the inactive investigative file. An investigation becomes
166.33 inactive upon the occurrence of any of the following events:

167.1 (a) a decision by the agency or appropriate prosecutorial authority not to pursue the case;

167.2 (b) expiration of the time to bring a charge or file a complaint under the applicable statute
167.3 of limitations, or 30 years after the commission of the offense, whichever comes earliest;
167.4 or

167.5 (c) exhaustion of or expiration of all rights of appeal by a person convicted on the basis
167.6 of the investigative data.

167.7 Any investigative data presented as evidence in court shall be public. Data determined
167.8 to be inactive under clause (a) may become active if the agency or appropriate prosecutorial
167.9 authority decides to renew the investigation.

167.10 During the time when an investigation is active, any person may bring an action in the
167.11 district court located in the county where the data are being maintained to authorize disclosure
167.12 of investigative data. The court may order that all or part of the data relating to a particular

88.11 executive heads of divisions, including the general managers and executive directors; the
88.12 executive head responsible for compliance with Equal Employment Opportunity provisions
88.13 of federal law; and the chief law enforcement officer of the Metropolitan Transit Police
88.14 appointed by the regional administrator under section 473.407, subdivision 4.

88.15 (f) Data relating to a complaint or charge against an employee identified under paragraph
88.16 (e), clause ~~(4)~~ (5), are public only if:

88.17 (1) the complaint or charge results in disciplinary action or the employee resigns or is
88.18 terminated from employment while the complaint or charge is pending; or

88.19 (2) potential legal claims arising out of the conduct that is the subject of the complaint
88.20 or charge are released as part of a settlement agreement.

88.21 This paragraph and paragraph (e) do not authorize the release of data that are made not
88.22 public under other law.

167.13 investigation be released to the public or to the person bringing the action. In making the
167.14 determination as to whether investigative data shall be disclosed, the court shall consider
167.15 whether the benefit to the person bringing the action or to the public outweighs any harm
167.16 to the public, to the agency or to any person identified in the data. The data in dispute shall
167.17 be examined by the court in camera.

167.18 In cases involving a missing person who has been missing for a continuous period of
167.19 20 years, the law enforcement agency and prosecuting authority must release active criminal
167.20 investigative data to the legal representative of the missing person's next of kin, upon request,
167.21 if the release of the data is not prohibited under section 13.821. If the law enforcement
167.22 agency or prosecuting authority reasonably believes that public dissemination of the data
167.23 will interfere with the investigation, the law enforcement agency or prosecuting authority
167.24 may release the data to the next of kin's legal representative on the condition that the data
167.25 remain in the custody and control of a licensed attorney or a licensed private investigator
167.26 and be used for investigative purposes, until the investigation is inactive.

167.27 Sec. 7. Minnesota Statutes 2024, section 13.825, subdivision 2, is amended to read:

167.28 Subd. 2. **Data classification; court-authorized disclosure.** (a) Data collected by a
167.29 portable recording system are private data on individuals or nonpublic data, subject to the
167.30 following:

167.31 (1) data that record, describe, or otherwise document actions and circumstances
167.32 surrounding either the discharge of a firearm by a peace officer in the course of duty, if a
167.33 notice is required under section 626.553, subdivision 2, or the use of force by a peace officer
168.1 that results in substantial bodily harm, as defined in section 609.02, subdivision 7a, are
168.2 public;

168.3 (2) data are public if a subject of the data requests it be made accessible to the public,
168.4 except that, if practicable, (i) data on a subject who is not a peace officer and who does not
168.5 consent to the release must be redacted, and (ii) data on a peace officer whose identity is
168.6 protected under section 13.82, subdivision 17, clause (a), must be redacted;

168.7 (3) subject to paragraphs (b) to ~~(d)~~ (e), portable recording system data that are active
168.8 criminal investigative data are governed by section 13.82, subdivision 7, and portable
168.9 recording system data that are inactive criminal investigative data are governed by this
168.10 section;

168.11 (4) portable recording system data that are public personnel data under section 13.43,
168.12 subdivision 2, clause (5), are public; and

168.13 (5) data that are not public data under other provisions of this chapter retain that
168.14 classification.

168.15 (b) Notwithstanding section 13.82, subdivision 7, when an individual dies as a result of
168.16 a use of force by a peace officer, an involved officer's law enforcement agency must allow
168.17 the following individuals, upon their request, to inspect all portable recording system data,

168.18 redacted no more than what is required by law, documenting the incident within five days
168.19 of the request, subject to paragraphs (c) and (d):

168.20 (1) the deceased individual's next of kin;

168.21 (2) the legal representative of the deceased individual's next of kin; and

168.22 (3) the other parent of the deceased individual's child.

168.23 (c) A law enforcement agency may deny a request to inspect portable recording system
168.24 data under paragraph (b) if the agency determines that there is a compelling reason that
168.25 inspection would interfere with an active investigation. If the agency denies access under
168.26 this paragraph, the chief law enforcement officer must provide a prompt, written denial to
168.27 the individual in paragraph (b) who requested the data with a short description of the
168.28 compelling reason access was denied and must provide notice that relief may be sought
168.29 from the district court pursuant to section 13.82, subdivision 7.

168.30 (d) When an individual dies as a result of a use of force by a peace officer, an involved
168.31 officer's law enforcement agency shall release all portable recording system data, redacted
168.32 no more than what is required by law, documenting the incident no later than 14 days after
168.33 the incident, unless the chief law enforcement officer asserts in writing that the public
169.1 classification would interfere with an ongoing investigation, in which case the data remain
169.2 classified by section 13.82, subdivision 7.

169.3 (e) Notwithstanding section 13.82, subdivision 7, portable recording system data on a
169.4 data subject who is an elected official and charged with a felony is public data 14 days after
169.5 a criminal complaint is filed.

169.6 ~~(e)~~ (f) A law enforcement agency may redact or withhold access to portions of data that
169.7 are public under this subdivision if those portions of data are clearly offensive to common
169.8 sensibilities.

169.9 ~~(f)~~ (g) Section 13.04, subdivision 2, does not apply to collection of data classified by
169.10 this subdivision.

169.11 ~~(g)~~ (h) Any person may bring an action in the district court located in the county where
169.12 portable recording system data are being maintained to authorize disclosure of data that are
169.13 private or nonpublic under this section or to challenge a determination under paragraph ~~(e)~~
169.14 (f) to redact or withhold access to portions of data because the data are clearly offensive to
169.15 common sensibilities. The person bringing the action must give notice of the action to the
169.16 law enforcement agency and subjects of the data, if known. The law enforcement agency
169.17 must give notice to other subjects of the data, if known, who did not receive the notice from
169.18 the person bringing the action. The court may order that all or part of the data be released
169.19 to the public or to the person bringing the action. In making this determination, the court
169.20 shall consider whether the benefit to the person bringing the action or to the public outweighs
169.21 any harm to the public, to the law enforcement agency, or to a subject of the data and, if
169.22 the action is challenging a determination under paragraph ~~(e)~~ (f), whether the data are clearly

169.23 offensive to common sensibilities. The data in dispute must be examined by the court in
169.24 camera. This paragraph does not affect the right of a defendant in a criminal proceeding to
169.25 obtain access to portable recording system data under the Rules of Criminal Procedure.

169.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

169.27 Sec. 8. Minnesota Statutes 2024, section 13.825, subdivision 4, is amended to read:

169.28 Subd. 4. **Access by data subjects.** (a) For purposes of this chapter, a portable recording
169.29 system data subject includes the peace officer who collected the data, and any other individual
169.30 or entity, including any other peace officer, regardless of whether the officer is or can be
169.31 identified by the recording, whose image or voice is documented in the data.

169.32 (b) An individual who is the subject of portable recording system data has access to the
169.33 data, including data on other individuals who are the subject of the recording. If the individual
170.1 requests a copy of the recording, data on other individuals who do not consent to its release
170.2 must be redacted from the copy. The identity and activities of an on-duty peace officer
170.3 engaged in an investigation or response to an emergency, incident, or request for service
170.4 may not be redacted, unless the officer's identity is subject to protection under section 13.82,
170.5 subdivision 17, clause (a).

170.6 (c) Notwithstanding section 13.82, subdivision 7, a person entitled to a report of a
170.7 collision under section 169.09, subdivision 13, must be provided with copies of unredacted
170.8 data from all portable recording systems used in the collision investigation, including data
170.9 on other individuals who are the subject of the recording. A request must be made in writing
170.10 and accompanied by the accident report relating to the data. Data provided under this
170.11 paragraph may only be used to process a claim related to the collision or as evidence in a
170.12 proceeding related to the collision. The requestor must not further disseminate the data or
170.13 use the data for any other purpose. A law enforcement agency may deny a request to provide
170.14 unredacted portable recording system data under this paragraph if:

170.15 (1) the agency determines there is a compelling reason that providing access to the data
170.16 would interfere with an active investigation;

170.17 (2) the data is clearly offensive to common sensibilities; or

170.18 (3) the data is classified as not public by other provisions under this chapter.

170.19 If a law enforcement agency denies access under clause (1), the agency must provide a
170.20 prompt, written reason for the denial to the individual who requested the data with a
170.21 description of the compelling reason and must provide notice that relief may be sought from
170.22 the district court under section 13.82, subdivision 7.

170.23 Sec. 9. Minnesota Statutes 2024, section 13.991, is amended to read:

170.24 **13.991 JUDICIAL OFFICIAL DATA; PERSONAL INFORMATION.**

170.25 (a) Subject to paragraph (b), the personal information of all judicial officials collected,
170.26 created, or maintained by a government entity is private data on individuals. For purposes
170.27 of this section, the terms "personal information" and "judicial official" have the meanings
170.28 given in section 480.40, subdivision 1.

170.29 (b) If the responsible authority or government entity violates this chapter, the remedies
170.30 and penalties under this chapter are available only if the judicial official making a claim
170.31 previously provided written notification to the responsible authority confirming on a form
170.32 provided by the Minnesota judicial branch that they are entitled to protection under section
170.33 480.40. If the subject of the data is an adult child of a judicial official who does not reside
171.1 with the judicial official, the remedies and penalties under this chapter are available only
171.2 if the adult child previously provided written notification to the responsible authority
171.3 confirming their status as the child of a judicial official. In the case of county records, the
171.4 form shall be filed with the responsible authority that maintains the personal information
171.5 for which the judicial officer is seeking protection. A form submitted under this section is
171.6 private data on individuals. A notice filed under this paragraph expires five years following
171.7 the date of filing, unless it is renewed prior to the expiration date.

171.8 (c) ~~This section shall not apply to~~ Notwithstanding paragraph (a), section 480.50 shall
171.9 ~~govern~~ personal information ~~contained in:~~ of all judicial officials contained in real property
171.10 ~~records, as defined in section 480.50, subdivision 1, paragraph (f).~~

171.11 ~~(1) real property records as defined in section 13.045, subdivision 1, clause (5);~~

171.12 ~~(2) Uniform Commercial Code filings and tax liens maintained by the secretary of state;~~
171.13 ~~and~~

171.14 ~~(3) any other records maintained by a government entity evidencing title to, or any lien;~~
171.15 ~~judgment, or other encumbrance on, real or personal property.~~

171.16 **EFFECTIVE DATE.** This section is effective January 1, 2026.

171.17 Sec. 10. Minnesota Statutes 2024, section 15.17, subdivision 1, is amended to read:

171.18 Subdivision 1. **Must be kept.** All officers and agencies of the state, counties, cities,
171.19 towns, school districts, municipal subdivisions or corporations, or other public authorities
171.20 or political entities within the state, hereinafter "public officer," shall make and preserve
171.21 all records necessary to a full and accurate knowledge of their official activities. Government
171.22 records may be produced in the form of computerized records. All government records shall
171.23 be made ~~on a physical medium of a~~ in a manner and quality to ~~insure~~ ensure permanent
171.24 records. Every public officer is empowered to reproduce records ~~if the records are not~~
171.25 ~~deemed to be of permanent or archival value by the commissioner of administration and~~
171.26 ~~but may only reproduce permanent and archival records pursuant to guidance from the state~~
171.27 ~~archives in consultation with the records disposition panel under section 138.17.~~ The public

88.23 Sec. 5. Minnesota Statutes 2024, section 13.991, is amended to read:

88.24 **13.991 JUDICIAL OFFICIAL DATA; PERSONAL INFORMATION.**

88.25 (a) Subject to paragraph (b), the personal information of all judicial officials collected,
88.26 created, or maintained by a government entity is private data on individuals. For purposes
88.27 of this section, the terms "personal information" and "judicial official" have the meanings
88.28 given in section 480.40, subdivision 1.

88.29 (b) If the responsible authority or government entity violates this chapter, the remedies
88.30 and penalties under this chapter are available only if the judicial official making a claim
88.31 previously provided written notification to the responsible authority confirming on a form
88.32 provided by the Minnesota judicial branch that they are entitled to protection under section
88.33 480.40. If the subject of the data is an adult child of a judicial official who does not reside
89.1 with the judicial official, the remedies and penalties under this chapter are available only
89.2 if the adult child previously provided written notification to the responsible authority
89.3 confirming their status as the child of a judicial official. In the case of county records, the
89.4 form shall be filed with the responsible authority that maintains the personal information
89.5 for which the judicial officer is seeking protection. A form submitted under this section is
89.6 private data on individuals. A notice filed under this paragraph expires five years following
89.7 the date of filing, unless it is renewed prior to the expiration date.

89.8 (c) ~~This section shall not apply to~~ Notwithstanding paragraph (a), section 480.50 shall
89.9 ~~govern~~ personal information ~~contained in:~~ of all judicial officials contained in real property
89.10 ~~records, as defined in section 480.50, subdivision 1, paragraph (f).~~

89.11 ~~(1) real property records as defined in section 13.045, subdivision 1, clause (5);~~

89.12 ~~(2) Uniform Commercial Code filings and tax liens maintained by the secretary of state;~~
89.13 ~~and~~

89.14 ~~(3) any other records maintained by a government entity evidencing title to, or any lien;~~
89.15 ~~judgment, or other encumbrance on, real or personal property.~~

89.16 **EFFECTIVE DATE.** This section is effective January 1, 2026.

171.28 officer is empowered to reproduce these records by any ~~photographic, photostatic,~~
171.29 ~~microphotographic, optical disk imaging system, microfilming, or other reproduction method~~
171.30 that clearly and accurately reproduces the records. Each public officer may order that those
171.31 ~~photographs, photostats, microphotographs, microfilms, optical images, or other~~
171.32 ~~reproductions; be substituted for the originals of them. Records that are reproduced when~~
171.33 ~~so ordered by a public officer are admissible as evidence in all courts and proceedings of~~
172.1 ~~every kind. A certified or exemplified copy of the reproduction has the same effect and~~
172.2 ~~weight as evidence as would a certified or exemplified copy of the original. The public~~
172.3 ~~officer may direct the destruction or sale for salvage or other disposition of the originals~~
172.4 ~~from which they were made, in accordance with the disposition requirements of section~~
172.5 ~~138.17. Photographs, photostats, microphotographs, microfilms, optical images, or other~~
172.6 ~~reproductions are for all purposes deemed the original recording of the papers, books,~~
172.7 ~~documents, and records reproduced when so ordered by any public officer and are admissible~~
172.8 ~~as evidence in all courts and proceedings of every kind. A facsimile or exemplified or~~
172.9 ~~certified copy of a photograph, photostat, microphotograph, microfilm, optical image, or~~
172.10 ~~other reproduction, or an enlargement or reduction of it, has the same effect and weight as~~
172.11 ~~evidence as would a certified or exemplified copy of the original.~~

172.12 Sec. 11. Minnesota Statutes 2024, section 138.17, subdivision 1, is amended to read:

172.13 Subdivision 1. **Destruction, preservation, reproduction of records; prima facie**
172.14 **evidence.** (a) The attorney general, legislative auditor in the case of state records, state
172.15 auditor in the case of local records, and director of the Minnesota Historical Society,
172.16 hereinafter director, shall constitute the Records Disposition Panel. The members of the
172.17 panel shall have power by majority vote to direct the destruction or sale for salvage of
172.18 government records determined to be no longer of any value, or to direct the disposition by
172.19 gift to the Minnesota Historical Society or otherwise of government records determined to
172.20 be valuable for preservation. The Records Disposition Panel may by majority vote order
172.21 any of those records to be reproduced by ~~photographic or other means,~~ and order that
172.22 ~~photographic or other~~ the reproductions be substituted for the originals of them. It may
172.23 direct the destruction or sale for salvage or other disposition of the originals from which
172.24 they were made. ~~Photographic or other reproductions shall for all purposes be deemed the~~
172.25 ~~originals of the records reproduced when so ordered by the records disposition panel, and~~
172.26 ~~shall be admissible as evidence in all courts and in proceedings of every kind. A facsimile,~~
172.27 ~~exemplified or certified copy of a photographic, optical disk imaging, or other reproduction,~~
172.28 ~~or an enlargement or reduction of it, shall have the same effect and weight as evidence as~~
172.29 ~~would a certified or exemplified copy of the original. Records that are reproduced when so~~
172.30 ~~ordered by the Records Disposition Panel are admissible as evidence in all courts and~~
172.31 ~~proceedings of every kind. A certified or exemplified copy of the reproduction has the same~~
172.32 ~~effect and weight as evidence as would a certified or exemplified copy of the original. The~~
172.33 ~~Records Disposition Panel, by majority vote, may direct the storage of government records,~~
172.34 ~~except as herein provided, and direct the storage of photographic or other reproductions.~~
173.1 ~~Photographic or other Reproductions substituted for original records shall be disposed of~~
173.2 ~~in accordance with the procedures provided for the original records.~~

173.3 (b) For the purposes of this chapter:

173.4 (1) the term "government records" means state and local records, including all cards,
173.5 correspondence, discs, maps, memoranda, microfilms, papers, photographs, recordings,
173.6 reports, tapes, writings, optical disks, and other data, information, or documentary material,
173.7 regardless of physical form or characteristics, storage media or conditions of use, made or
173.8 received by an officer or agency of the state and an officer or agency of a county, city, town,
173.9 school district, municipal subdivision or corporation or other public authority or political
173.10 entity within the state pursuant to state law or in connection with the transaction of public
173.11 business by an officer or agency;

173.12 (2) the term "state record" means a record of a department, office, officer, commission,
173.13 commissioner, board or any other agency, however styled or designated, of the executive
173.14 branch of state government; a record of the state legislature; a record of any court, whether
173.15 of statewide or local jurisdiction; and any other record designated or treated as a state record
173.16 under state law;

173.17 (3) the term "local record" means a record of an agency of a county, city, town, school
173.18 district, municipal subdivision or corporation or other public authority or political entity;

173.19 (4) the term "records" excludes data and information that does not become part of an
173.20 official transaction, library and museum material made or acquired and kept solely for
173.21 reference or exhibit purposes, extra copies of documents kept only for convenience of
173.22 reference and stock of publications and processed documents, and bonds, coupons, or other
173.23 obligations or evidences of indebtedness, the destruction or other disposition of which is
173.24 governed by other laws; and

173.25 (5) the term "state archives" means those records preserved or appropriate for preservation
173.26 as evidence of the organization, functions, policies, decisions, procedures, operations or
173.27 other activities of government or because of the value of the information contained in them,
173.28 when determined to have sufficient historical or other value to warrant continued preservation
173.29 by the state of Minnesota and accepted for inclusion in the collections of the Minnesota
173.30 Historical Society.

173.31 (c) If the decision is made to dispose of records by majority vote, the Minnesota Historical
173.32 Society may acquire and retain whatever they determine to be of potential historical value.

89.17 Sec. 6. Minnesota Statutes 2024, section 144E.123, subdivision 3, is amended to read:

89.18 Subd. 3. **Review.** Prehospital care data may be reviewed by the director or its designees.
89.19 The data shall be classified as private data on individuals under chapter 13, the Minnesota
89.20 Government Data Practices Act. The director may share with the Washington/Baltimore
89.21 High Intensity Drug Trafficking Area's Overdose Detection Mapping Application Program

174.1 Sec. 12. Minnesota Statutes 2024, section 299C.80, subdivision 6, is amended to read:

174.2 Subd. 6. **Reporting.** (a) As provided for in chapter 13, the superintendent must make
174.3 all inactive investigative data for officer-involved death investigations that are public under
174.4 section 13.82, subdivision 7, or other applicable law available on the bureau's website within
174.5 30 days of the end of the last criminal appeal of a subject of an investigation. case becoming
174.6 inactive as defined in section 13.82, subdivision 7, except any video that does not record,
174.7 describe, or otherwise document actions and circumstances surrounding the officer-involved
174.8 death.

174.9 (b) By February 1 of each year, the superintendent shall report to the commissioner, the
174.10 governor, and the chairs and ranking minority members of the legislative committees with
174.11 jurisdiction over public safety finance and policy the following information about the unit:
174.12 the number of investigations initiated; the number of incidents investigated; the outcomes
174.13 or current status of each investigation; the charging decisions made by the prosecuting
174.14 authority of incidents investigated by the unit; the number of plea agreements reached in
174.15 incidents investigated by the unit; and any other information relevant to the unit's mission.

174.16 (c) Nothing in this subdivision modifies the requirements of chapter 13 or the
174.17 classification of data.

174.18 Sec. 13. **[325M.40] DATA SHARING PROHIBITED; CERTAIN AUTISM STUDIES.**

174.19 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
174.20 the meanings given.

174.21 (b) "Business" means any corporation, partnership, proprietorship, firm, enterprise,
174.22 franchise, association, organization, self-employed individual, or any other legal entity that
174.23 engages in either nonprofit or profit-making activities.

89.22 (ODMAP), data that identifies where and when an overdose incident happens, fatality status,
89.23 suspected drug type, naloxone administration, and first responder type. ODMAP may:

89.24 (1) allow secure access to the system by authorized users to report information about an
89.25 overdose incident;

89.26 (2) allow secure access to the system by authorized users to view, in near real-time,
89.27 information about overdose incidents reported;

89.28 (3) produce a map in near real-time of the approximate locations of confirmed or
89.29 suspected overdose incidents reported; and

89.30 (4) enable access to overdose incident information that assists in state and local decisions
89.31 regarding the allocation of public health, public safety, and educational resources for the
89.32 purposes of monitoring and reporting data related to suspected overdoses.

H1354-3

15.10 Sec. 11. Minnesota Statutes 2024, section 299C.80, subdivision 6, is amended to read:

15.11 Subd. 6. **Reporting.** (a) As provided for in chapter 13, the superintendent must make
15.12 all inactive investigative data for officer-involved death investigations that are public under
15.13 section 13.82, subdivision 7, or other applicable law available on the bureau's website within
15.14 30 days of the end of the last criminal appeal of a subject of an investigation. of the case
15.15 becoming inactive as defined in section 13.82, subdivision 7, except any video that does
15.16 not record, describe, or otherwise document actions and circumstances surrounding the
15.17 officer-involved death.

15.18 (b) By February 1 of each year, the superintendent shall report to the commissioner, the
15.19 governor, and the chairs and ranking minority members of the legislative committees with
15.20 jurisdiction over public safety finance and policy the following information about the unit:
15.21 the number of investigations initiated; the number of incidents investigated; the outcomes
15.22 or current status of each investigation; the charging decisions made by the prosecuting
15.23 authority of incidents investigated by the unit; the number of plea agreements reached in
15.24 incidents investigated by the unit; and any other information relevant to the unit's mission.

15.25 (c) Nothing in this subdivision modifies the requirements of chapter 13 or the
15.26 classification of data.

- 174.24 (c) "Government entity" has the meaning given in section 13.02, subdivision 7a.
- 174.25 (d) "Health care provider" means a provider under section 144.291, subdivision 2,
- 174.26 paragraph (i), and includes health care providers who provide telehealth services to Minnesota
- 174.27 residents.
- 174.28 Subd. 2. **Dissemination prohibited.** A business, health care provider, or government
- 174.29 entity must not disseminate the following data for purposes of researching autism as a
- 174.30 preventable disease:
- 174.31 (1) data identifying an individual, including names, birthdates, addresses, telephone
- 174.32 numbers, or email addresses; or
- 175.1 (2) any other data that could reasonably be used to identify an individual.
- 175.2 Subd. 3. **Enforcement.** The attorney general may enforce this section pursuant to section
- 175.3 8.31. A government entity that violates this section is subject to the remedies and penalties
- 175.4 under sections 13.08, 13.085, and 13.09.
- 175.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

- 175.6 Sec. 14. Minnesota Statutes 2024, section 480.40, subdivision 1, is amended to read:
- 175.7 Subdivision 1. **Definitions.** (a) For purposes of this section and section 480.45, the
- 175.8 following terms have the meanings given.
- 175.9 (b) "Judicial official" means:
- 175.10 (1) every Minnesota district court judge, senior judge, retired judge, and every judge of
- 175.11 the Minnesota Court of Appeals and every active, senior, recalled, or retired federal judge
- 175.12 who resides in Minnesota;
- 175.13 (2) a justice of the Minnesota Supreme Court;
- 175.14 (3) employees of the Minnesota judicial branch;
- 175.15 (4) judicial referees and magistrate judges; and
- 175.16 (5) current and retired judges and current employees of the Office of Administrative
- 175.17 Hearings, Workers' Compensation Court of Appeals, and Tax Court.
- 175.18 (c) "Personal information" does not include publicly available information. Personal
- 175.19 information means:
- 175.20 (1) a residential address of a judicial official;
- 175.21 (2) a residential address of the spouse, domestic partner, or children of a judicial official;
- 175.22 (3) a nonjudicial branch issued telephone number or email address of a judicial official;

H2432-3

- 90.1 Sec. 7. Minnesota Statutes 2024, section 480.40, subdivision 1, is amended to read:
- 90.2 Subdivision 1. **Definitions.** (a) For purposes of this section and section 480.45, the
- 90.3 following terms have the meanings given.
- 90.4 (b) "Judicial official" means:
- 90.5 (1) every Minnesota district court judge, senior judge, retired judge, and every judge of
- 90.6 the Minnesota Court of Appeals and every active, senior, recalled, or retired federal judge
- 90.7 who resides in Minnesota;
- 90.8 (2) a justice of the Minnesota Supreme Court;
- 90.9 (3) employees of the Minnesota judicial branch;
- 90.10 (4) judicial referees and magistrate judges; and
- 90.11 (5) current and retired judges and current employees of the Office of Administrative
- 90.12 Hearings, Workers' Compensation Court of Appeals, and Tax Court.
- 90.13 (c) "Personal information" does not include publicly available information. Personal
- 90.14 information means:
- 90.15 (1) a residential address of a judicial official;
- 90.16 (2) a residential address of the spouse, domestic partner, or children of a judicial official;
- 90.17 (3) a nonjudicial branch issued telephone number or email address of a judicial official;

175.23 (4) the name of any child of a judicial official; and
175.24 (5) the name of any child care facility or school that is attended by a child of a judicial
175.25 official if combined with an assertion that the named facility or school is attended by the
175.26 child of a judicial official.
175.27 (d) "Publicly available information" means information that is lawfully made available
175.28 through federal, state, or local government records or information that a business has a
175.29 reasonable basis to believe is lawfully made available to the general public through widely
175.30 distributed media, by a judicial official, or by a person to whom the judicial official has
176.1 disclosed the information, unless the judicial official has restricted the information to a
176.2 specific audience.
176.3 (e) "Law enforcement support organizations" do not include charitable organizations.
176.4 (f) "Real property records" has the meaning given in section 480.50, subdivision 1,
176.5 paragraph (f).
176.6 **EFFECTIVE DATE.** This section is effective January 1, 2026.
176.7 Sec. 15. Minnesota Statutes 2024, section 480.40, subdivision 3, is amended to read:
176.8 Subd. 3. **Exceptions.** (a) Subdivision 2 ~~does~~ and section 480.50 do not apply to:
176.9 (1) the dissemination of personal information if the information is relevant to and
176.10 displayed as part of a news story, commentary, editorial, or other speech on a matter of
176.11 public concern;
176.12 (2) personal information that the judicial official voluntarily disseminates publicly after
176.13 August 1, 2024;
176.14 (3) the dissemination of personal information made at the request of the judicial official
176.15 or which is necessary to effectuate the request of a judicial official;
176.16 (4) a commercial entity using personal information internally, providing access to
176.17 businesses under common ownership or affiliated by corporate control, or selling or providing
176.18 data for a transaction or service requested by or concerning the individual whose personal
176.19 information is being transferred;
176.20 (5) a commercial entity providing publicly available information through real-time or
176.21 near real-time alert services for health or safety purposes;
176.22 (6) a commercial entity engaged in the collection, maintenance, disclosure, sale,
176.23 communication, or use of any personal information bearing on a consumer's credit worthiness,
176.24 credit standing, credit capacity, character, general reputation, personal characteristics, or
176.25 mode of living by a consumer reporting agency, furnisher, or user that provides information
176.26 for use in a consumer report, and by a user of a consumer report, but only to the extent that
176.27 such activity is regulated by and authorized under the federal Fair Credit Reporting Act,
176.28 United States Code, title 15, section 1681, et seq.;

90.18 (4) the name of any child of a judicial official; and
90.19 (5) the name of any child care facility or school that is attended by a child of a judicial
90.20 official if combined with an assertion that the named facility or school is attended by the
90.21 child of a judicial official.
90.22 (d) "Publicly available information" means information that is lawfully made available
90.23 through federal, state, or local government records or information that a business has a
90.24 reasonable basis to believe is lawfully made available to the general public through widely
90.25 distributed media, by a judicial official, or by a person to whom the judicial official has
90.26 disclosed the information, unless the judicial official has restricted the information to a
90.27 specific audience.
90.28 (e) "Law enforcement support organizations" do not include charitable organizations.
90.29 (f) "Real property records" has the meaning given in section 480.50, subdivision 1,
90.30 paragraph (f).
91.1 **EFFECTIVE DATE.** This section is effective January 1, 2026.
91.2 Sec. 8. Minnesota Statutes 2024, section 480.40, subdivision 3, is amended to read:
91.3 Subd. 3. **Exceptions.** (a) Subdivision 2 ~~does~~ and section 480.50 do not apply to:
91.4 (1) the dissemination of personal information if the information is relevant to and
91.5 displayed as part of a news story, commentary, editorial, or other speech on a matter of
91.6 public concern;
91.7 (2) personal information that the judicial official voluntarily disseminates publicly after
91.8 August 1, 2024;
91.9 (3) the dissemination of personal information made at the request of the judicial official
91.10 or which is necessary to effectuate the request of a judicial official;
91.11 (4) a commercial entity using personal information internally, providing access to
91.12 businesses under common ownership or affiliated by corporate control, or selling or providing
91.13 data for a transaction or service requested by or concerning the individual whose personal
91.14 information is being transferred;
91.15 (5) a commercial entity providing publicly available information through real-time or
91.16 near real-time alert services for health or safety purposes;
91.17 (6) a commercial entity engaged in the collection, maintenance, disclosure, sale,
91.18 communication, or use of any personal information bearing on a consumer's credit worthiness,
91.19 credit standing, credit capacity, character, general reputation, personal characteristics, or
91.20 mode of living by a consumer reporting agency, furnisher, or user that provides information
91.21 for use in a consumer report, and by a user of a consumer report, but only to the extent that
91.22 such activity is regulated by and authorized under the federal Fair Credit Reporting Act,
91.23 United States Code, title 15, section 1681, et seq.;

176.29 (7) a consumer reporting agency subject to the federal Fair Credit Reporting Act, United
176.30 States Code, title 15, section 1681, et seq.;

177.1 (8) a commercial entity using personal information collected, processed, sold, or disclosed
177.2 in compliance with the federal Driver's Privacy Protection Act of 1994, United States Code,
177.3 title 18, section 2721, et seq.;

177.4 (9) a commercial entity using personal information to do any of the following: prevent,
177.5 detect, protect against, or respond to security incidents, identity theft, fraud, harassment,
177.6 malicious or deceptive activities, or any illegal activity; preserve the integrity or security
177.7 of systems; or investigate, report, or prosecute any person responsible for any such action;

177.8 (10) a financial institution, affiliate of a financial institution, or data subject to title V
177.9 of the federal Gramm-Leach-Bliley Act, United States Code, title 15, section 6801, et seq.;

177.10 (11) a covered entity or business associate for purposes of the federal privacy regulations
177.11 promulgated under the federal Health Insurance Portability and Accountability Act of 1996,
177.12 specifically United States Code, title 42, section 1320d-2 note;

177.13 (12) insurance and insurance support organizations;

177.14 (13) law enforcement agencies or law enforcement support organizations and vendors
177.15 that provide data support services to law enforcement agencies;

177.16 (14) the display of a property address on a real estate or mapping platform when the
177.17 address is not displayed or disclosed in connection with any ownership or occupancy
177.18 information or other personal identifying information of a judicial official; and

177.19 ~~(14) (15) the collection and sale or licensing of covered information incidental to~~
177.20 ~~conducting the activities described in clauses (4) to ~~(13)~~ (14); and.~~

177.21 ~~(15) personal information contained in:~~

177.22 ~~(i) real property records as defined in section 13.045, subdivision 1, clause (5);~~

177.23 ~~(ii) uniform commercial code filings and tax liens maintained by the secretary of state;~~
177.24 ~~and~~

177.25 ~~(iii) any other records maintained by a government entity evidencing title to, or any lien,~~
177.26 ~~judgment, or other encumbrance on, real or personal property.~~

177.27 (b) Subdivision 2 does not apply to personal information of judicial officials collected,
177.28 created, or maintained in real property records.

177.29 **EFFECTIVE DATE.** This section is effective January 1, 2026.

178.1 Sec. 16. Minnesota Statutes 2024, section 480.45, subdivision 2, is amended to read:

178.2 Subd. 2. **Removal of personal information; exception.** (a) Upon receipt of an affidavit
178.3 requesting removal of the personal information of a judicial official that meets the

91.24 (7) a consumer reporting agency subject to the federal Fair Credit Reporting Act, United
91.25 States Code, title 15, section 1681, et seq.;

91.26 (8) a commercial entity using personal information collected, processed, sold, or disclosed
91.27 in compliance with the federal Driver's Privacy Protection Act of 1994, United States Code,
91.28 title 18, section 2721, et seq.;

91.29 (9) a commercial entity using personal information to do any of the following: prevent,
91.30 detect, protect against, or respond to security incidents, identity theft, fraud, harassment,
91.31 malicious or deceptive activities, or any illegal activity; preserve the integrity or security
91.32 of systems; or investigate, report, or prosecute any person responsible for any such action;

92.1 (10) a financial institution, affiliate of a financial institution, or data subject to title V
92.2 of the federal Gramm-Leach-Bliley Act, United States Code, title 15, section 6801, et seq.;

92.3 (11) a covered entity or business associate for purposes of the federal privacy regulations
92.4 promulgated under the federal Health Insurance Portability and Accountability Act of 1996,
92.5 specifically United States Code, title 42, section 1320d-2 note;

92.6 (12) insurance and insurance support organizations;

92.7 (13) law enforcement agencies or law enforcement support organizations and vendors
92.8 that provide data support services to law enforcement agencies;

92.9 (14) the display of a property address on a real estate or mapping platform when the
92.10 address is not displayed or disclosed in connection with any ownership or occupancy
92.11 information or other personal identifying information of a judicial official; and

92.12 ~~(14) (15) the collection and sale or licensing of covered information incidental to~~
92.13 ~~conducting the activities described in clauses (4) to ~~(13)~~; and (14).~~

92.14 ~~(15) personal information contained in:~~

92.15 ~~(i) real property records as defined in section 13.045, subdivision 1, clause (5);~~

92.16 ~~(ii) uniform commercial code filings and tax liens maintained by the secretary of state;~~
92.17 ~~and~~

92.18 ~~(iii) any other records maintained by a government entity evidencing title to, or any lien,~~
92.19 ~~judgment, or other encumbrance on, real or personal property.~~

92.20 (b) Subdivision 2 does not apply to personal information of judicial officials collected,
92.21 created, or maintained in real property records.

92.22 **EFFECTIVE DATE.** This section is effective January 1, 2026.

92.23 Sec. 9. Minnesota Statutes 2024, section 480.45, subdivision 2, is amended to read:

92.24 Subd. 2. **Removal of personal information; exception.** (a) Upon receipt of an affidavit
92.25 requesting removal of the personal information of a judicial official that meets the

178.4 requirements of subdivision 1, the person, business, association, or government entity shall
178.5 remove the publicly posted personal information within 30 days. If the person, business,
178.6 association, or government entity fails to remove the publicly posted personal information
178.7 within 30 days after an affidavit is submitted, the judicial official may file a civil action in
178.8 a court of competent jurisdiction seeking a court order compelling compliance, including
178.9 injunctive and declarative relief.

178.10 (b) Paragraph (a) shall not apply to personal information disseminated directly by a
178.11 government entity contained in: real property records, as defined in section 480.50,
178.12 subdivision 1, paragraph (f).

178.13 ~~(1) real property records as defined in section 13.045, subdivision 1, clause (5);~~
178.14 ~~(2) uniform commercial code filings and tax liens maintained by the secretary of state;~~
178.15 ~~and~~
178.16 ~~(3) any other records maintained by a government entity evidencing title to, or any lien,~~
178.17 ~~judgment, or other encumbrance on, real or personal property.~~

178.18 **EFFECTIVE DATE.** This section is effective January 1, 2026.

178.19 Sec. 17. **[480.50] PERSONAL INFORMATION IN REAL PROPERTY RECORDS.**

178.20 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
178.21 the meanings given.

178.22 (b) "County recorder" has the meaning given in section 13.045, subdivision 1, clause
178.23 (4).

178.24 (c) "Government entity" has the meaning given in section 13.02, subdivision 7a.

178.25 (d) "Judicial official" has the meaning given in section 480.40, subdivision 1, paragraph
178.26 (b), except that it does not include employees of the Minnesota judicial branch, the Office
178.27 of Administrative Hearings, the Workers' Compensation Court of Appeals, or the Tax Court.

178.28 (e) "Personal information" has the meaning given in section 480.40, subdivision 1,
178.29 paragraph (c).

178.30 (f) "Real property records" means any of the following:

178.31 (1) real property records as defined in section 13.045, subdivision 1, clause (5);

179.1 (2) Uniform Commercial Code filings and tax liens maintained by the secretary of state;
179.2 and

179.3 (3) any other records maintained by a county recorder or other government entity
179.4 evidencing title to, or any lien, judgment, or other encumbrance on, real or personal property.

179.5 (g) "Responsible authority" has the meaning given in section 13.02, subdivision 16.

92.26 requirements of subdivision 1, the person, business, association, or government entity shall
92.27 remove the publicly posted personal information within 30 days. If the person, business,
92.28 association, or government entity fails to remove the publicly posted personal information
92.29 within 30 days after an affidavit is submitted, the judicial official may file a civil action in
92.30 a court of competent jurisdiction seeking a court order compelling compliance, including
92.31 injunctive and declarative relief.

93.1 (b) Paragraph (a) shall not apply to personal information disseminated directly by a
93.2 government entity contained in: real property records, as defined in section 480.50,
93.3 subdivision 1, paragraph (f).

93.4 ~~(1) real property records as defined in section 13.045, subdivision 1, clause (5);~~
93.5 ~~(2) uniform commercial code filings and tax liens maintained by the secretary of state;~~
93.6 ~~and~~
93.7 ~~(3) any other records maintained by a government entity evidencing title to, or any lien,~~
93.8 ~~judgment, or other encumbrance on, real or personal property.~~

93.9 **EFFECTIVE DATE.** This section is effective January 1, 2026.

93.10 Sec. 10. **[480.50] PERSONAL INFORMATION IN REAL PROPERTY RECORDS.**

93.11 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
93.12 the meanings given.

93.13 (b) "County recorder" has the meaning given in section 13.045, subdivision 1, clause
93.14 (4).

93.15 (c) "Government entity" has the meaning given in section 13.02, subdivision 7a.

93.16 (d) "Judicial official" has the meaning given in section 480.40, subdivision 1, paragraph
93.17 (b), except that it does not include employees of the Minnesota judicial branch, the Office
93.18 of Administrative Hearings, the Workers' Compensation Court of Appeals, or the Tax Court.

93.19 (e) "Personal information" has the meaning given in section 480.40, subdivision 1,
93.20 paragraph (c).

93.21 (f) "Real property records" means any of the following:

93.22 (1) real property records as defined in section 13.045, subdivision 1, clause (5);

93.23 (2) Uniform Commercial Code filings and tax liens maintained by the Secretary of State;
93.24 and

93.25 (3) any other records maintained by a county recorder or other government entity
93.26 evidencing title to, or any lien, judgment, or other encumbrance on, real or personal property.

93.27 (g) "Responsible authority" has the meaning given in section 13.02, subdivision 16.

179.6 Subd. 2. Classification of data. (a) Subject to the provisions of this section, the personal
179.7 information of all judicial officials collected, created, or maintained in real property records
179.8 is private data on individuals, as defined in section 13.02, subdivision 12.

179.9 (b) If the responsible authority or government entity violates this section, the remedies
179.10 and penalties under chapter 13 are available only if the judicial official making a claim
179.11 previously provided a real property notice that complies with subdivision 3. If the subject
179.12 of the data is the spouse, domestic partner, or adult child of a judicial official who does not
179.13 reside with the judicial official, the remedies and penalties under chapter 13 are available
179.14 only if the spouse, domestic partner, or adult child previously provided a notification under
179.15 subdivision 3 to the responsible authority confirming their status as the spouse, domestic
179.16 partner, or adult child of a judicial official. In the case of county records, the notification
179.17 shall be filed with the responsible authority that maintains the personal information for
179.18 which protection is sought. A notification submitted under this section is private data on
179.19 individuals, as defined in section 13.02, subdivision 12.

179.20 Subd. 3. Notification. (a) For the classification in subdivision 2 to apply to personal
179.21 information in real property records, a judicial official must submit a real property notice
179.22 in writing to the county recorder in the county where the property identified in the real
179.23 property notice is located and to the Office of the Secretary of State. To affect real property
179.24 records maintained by any other government entity, a judicial official must submit a real
179.25 property notice in writing to the other government entity's responsible authority. If the
179.26 personal information is that of the spouse, domestic partner, or adult child of a judicial
179.27 official who does not reside with the judicial official, the spouse, domestic partner, or adult
179.28 child must submit a real property notice. The real property notice is classified as private
179.29 data on individuals, as defined in section 13.02, subdivision 12. A real property notice must
179.30 be on a form provided by the judicial branch and must include:

179.31 (1) the full legal name of the individual submitting the form;

179.32 (2) the last four digits of the individual's Social Security number;

179.33 (3) the individual's date of birth;

180.1 (4) the individual's telephone number and email address;

180.2 (5) the residential address of the individual in Minnesota;

180.3 (6) the legal description, parcel identification number, and street address, if any, of the
180.4 real property affected by the notice; and

180.5 (7) a certification that the individual is a judicial official or the spouse, domestic partner,
180.6 or adult child of a judicial official that contains the notarized signature of the individual.

180.7 (b) A notice submitted by a judicial official employed by the state must include the
180.8 employer's business address and a verification of current employment signed by the
180.9 employer's human resources office.

93.28 Subd. 2. Classification of data. (a) Subject to the provisions of this section, the personal
93.29 information of all judicial officials collected, created, or maintained in real property records
93.30 is private data on individuals, as defined in section 13.02, subdivision 12.

94.1 (b) If the responsible authority or government entity violates this section, the remedies
94.2 and penalties under chapter 13 are available only if the judicial official making a claim
94.3 previously provided a real property notice that complies with subdivision 3. If the subject
94.4 of the data is the spouse, domestic partner, or adult child of a judicial official who does not
94.5 reside with the judicial official, the remedies and penalties under chapter 13 are available
94.6 only if the spouse, domestic partner, or adult child previously provided a notification under
94.7 subdivision 3 to the responsible authority confirming their status as the spouse, domestic
94.8 partner, or adult child of a judicial official. In the case of county records, the notification
94.9 shall be filed with the responsible authority that maintains the personal information for
94.10 which protection is sought. A notification submitted under this section is private data on
94.11 individuals, as defined in section 13.02, subdivision 12.

94.12 Subd. 3. Notification. (a) For the classification in subdivision 2 to apply to personal
94.13 information in real property records, a judicial official must submit a real property notice
94.14 in writing to the county recorder in the county where the property identified in the real
94.15 property notice is located and to the Office of the Secretary of State. To affect real property
94.16 records maintained by any other government entity, a judicial official must submit a real
94.17 property notice in writing to the other government entity's responsible authority. If the
94.18 personal information is that of the spouse, domestic partner, or adult child of a judicial
94.19 official who does not reside with the judicial official, the spouse, domestic partner, or adult
94.20 child must submit a real property notice. The real property notice is classified as private
94.21 data on individuals, as defined in section 13.02, subdivision 12. A real property notice must
94.22 be on a form provided by the judicial branch and must include:

94.23 (1) the full legal name of the individual submitting the form;

94.24 (2) the last four digits of the individual's Social Security number;

94.25 (3) the individual's date of birth;

94.26 (4) the individual's telephone number and email;

94.27 (5) the residential address of the individual in Minnesota;

94.28 (6) the legal description, parcel identification number, and street address, if any, of the
94.29 real property affected by the notice; and

94.30 (7) a certification that the individual is a judicial official or the spouse, domestic partner,
94.31 or adult child of a judicial official that contains the notarized signature of the individual.

95.1 (b) A notice submitted by a judicial official employed by the state must include the
95.2 employer's business address and a verification of current employment signed by the
95.3 employer's human resources office.

180.10 (c) A notice submitted pursuant to this subdivision by a spouse, domestic partner, or
180.11 adult child of a judicial official not residing with the judicial official must include a notarized
180.12 verification that the individual is the spouse, domestic partner, or adult child of a judicial
180.13 official.

180.14 (d) Only one parcel of real property may be included in each notice, but an individual
180.15 may submit more than one notice. A government entity may require an individual to provide
180.16 additional information necessary to identify the records or the real property described in
180.17 the notice. An individual submitting a notice must submit a new real property notice if their
180.18 legal name changes.

180.19 **Subd. 4. Access to real property records.** (a) If an individual submits a notice under
180.20 subdivision 3, the county recorder or other government entity must not disclose the
180.21 individual's personal information in conjunction with the property identified in the written
180.22 notice, unless:

180.23 (1) the individual has consented to sharing or dissemination of the personal information
180.24 for the purpose identified in a writing signed by the individual and acknowledged by a
180.25 notary public;

180.26 (2) the personal information is subject to dissemination pursuant to a court order under
180.27 section 13.03, subdivision 6;

180.28 (3) the personal information is shared with a government entity for the purpose of
180.29 administering assessment and taxation laws;

180.30 (4) the personal information is disseminated pursuant to subdivision 5; or

181.1 (5) the personal information is shared with the examiner of titles or deputy examiner as
181.2 necessary to perform their statutory duties under chapters 508 and 508A, including the
181.3 dissemination of personal information in reports of examiner.

181.4 (b) This subdivision does not prevent the county recorder from returning original
181.5 documents to the person who submitted the documents for recording. Each county recorder
181.6 shall establish procedures for recording documents to comply with this subdivision. These
181.7 procedures may include masking personal information and making documents or certificates
181.8 of title containing the personal information private and not viewable, except as allowed by
181.9 this paragraph. The procedure must comply with the requirements of chapters 386, 507,
181.10 508, and 508A, and other laws as appropriate, to the extent these requirements do not conflict
181.11 with this section. The procedures must provide public notice of the existence of recorded
181.12 documents and certificates of title that are not publicly viewable and the provisions for
181.13 viewing them under this subdivision. Notice that a document or certificate is private and
181.14 viewable only under this subdivision or subdivision 5 is deemed constructive notice of the
181.15 document or certificate.

181.16 (c) A real property notice submitted under subdivision 3 shall apply retroactively to all
181.17 online and digital real property records, except digitized or scanned images of tract pages

95.4 (c) A notice submitted pursuant to this subdivision by a spouse, domestic partner, or
95.5 adult child of a judicial official not residing with the judicial official must include a notarized
95.6 verification that the individual is the spouse, domestic partner, or adult child of a judicial
95.7 official.

95.8 (d) Only one parcel of real property may be included in each notice, but an individual
95.9 may submit more than one notice. A government entity may require an individual to provide
95.10 additional information necessary to identify the records or the real property described in
95.11 the notice. An individual submitting a notice must submit a new real property notice if their
95.12 legal name changes.

95.13 **Subd. 4. Access to real property records.** (a) If an individual submits a notice under
95.14 subdivision 3, the county recorder or other government entity must not disclose the
95.15 individual's personal information in conjunction with the property identified in the written
95.16 notice, unless:

95.17 (1) the individual has consented to sharing or dissemination of the personal information
95.18 for the purpose identified in a writing signed by the individual and acknowledged by a
95.19 notary public;

95.20 (2) the personal information is subject to dissemination pursuant to a court order under
95.21 section 13.03, subdivision 6;

95.22 (3) the personal information is shared with a government entity for the purpose of
95.23 administering assessment and taxation laws;

95.24 (4) the personal information is disseminated pursuant to subdivision 5; or

95.25 (5) the personal information is shared with the examiner of titles or deputy examiner as
95.26 necessary to perform their statutory duties under chapters 508 and 508A, including the
95.27 dissemination of personal information in Reports of Examiner.

95.28 (b) This subdivision does not prevent the county recorder from returning original
95.29 documents to the person who submitted the documents for recording. Each county recorder
95.30 shall establish procedures for recording documents to comply with this subdivision. These
95.31 procedures may include masking personal information and making documents or certificates
95.32 of title containing the personal information private and not viewable except as allowed by
95.33 this paragraph. The procedure must comply with the requirements of chapters 386, 507,
96.1 508, and 508A, and other laws as appropriate, to the extent these requirements do not conflict
96.2 with this section. The procedures must provide public notice of the existence of recorded
96.3 documents and certificates of title that are not publicly viewable and the provisions for
96.4 viewing them under this subdivision. Notice that a document or certificate is private and
96.5 viewable only under this subdivision or subdivision 5 is deemed constructive notice of the
96.6 document or certificate.

96.7 (c) A real property notice submitted under subdivision 3 shall apply retroactively to all
96.8 online and digital real property records, except digitized or scanned images of tract pages

181.18 and books, but only to the extent the individual submitting the notice provides the parcel
181.19 identification number, document number, or certificate of title number of each record for
181.20 which protection is sought. Otherwise, paragraph (a) applies only to the real property records
181.21 recorded or filed concurrently with the real property notice specified in subdivision 3 and
181.22 to real property records affecting the same real property recorded subsequent to the county
181.23 recorder or other government entity's receipt of the real property notice.

181.24 (d) The county recorder or other government entity shall have 60 days from the date of
181.25 receipt of a real property notice under subdivision 3 to process the request. If the individual
181.26 cites exigent circumstances, the county recorder or other government entity shall process
181.27 the request as soon as practicable.

181.28 (e) The prohibition on disclosure in paragraph (a) continues until:

181.29 (1) the individual has consented to the termination of the real property notice in a writing
181.30 signed by the individual and acknowledged by a notary public;

181.31 (2) the real property notice is terminated pursuant to a court order;

181.32 (3) the individual no longer holds a record interest in the real property identified in the
181.33 real property notice;

182.1 (4) the individual is deceased and a certified copy of the death certificate has been filed
182.2 with the county recorder or other government entity to which a notice under subdivision 3
182.3 was given; or

182.4 (5) the judicial official no longer qualifies as a judicial official. Notification that the
182.5 judicial official no longer qualifies as a judicial official must be given by the judicial official
182.6 to each county recorder or other government entity to which a notice under subdivision 3
182.7 was given within 90 days after the judicial official no longer qualifies as a judicial official.

182.8 (f) Upon termination of the prohibition of disclosure, the county recorder shall make
182.9 publicly viewable all documents and certificates of title that were previously partially or
182.10 wholly private and not viewable pursuant to a notice filed under subdivision 3.

182.11 Subd. 5. Access to personal information in real property records; title
182.12 examination. (a) Upon request, the individual who submitted the real property notice under
182.13 subdivision 3 shall verify that the individual's real property is the property subject to
182.14 a bona fide title exam.

182.15 (b) The county recorder or other government entity shall provide the unredacted real
182.16 property records of an individual who submitted a real property notice under subdivision 3
182.17 upon request of any of the following persons:

182.18 (1) a licensed title insurance company representative, a licensed title insurance agent, a
182.19 licensed abstractor, or an attorney licensed to practice law in Minnesota;

96.9 and books, but only to the extent the individual submitting the notice provides the parcel
96.10 identification number, document number, or certificate of title number of each record for
96.11 which protection is sought. Otherwise, paragraph (a) applies only to the real property records
96.12 recorded or filed concurrently with the real property notice specified in subdivision 3 and
96.13 to real property records affecting the same real property recorded subsequent to the county
96.14 recorder or other government entity's receipt of the real property notice.

96.15 (d) The county recorder or other government entity shall have 60 days from the date of
96.16 receipt of a real property notice under subdivision 3 to process the request. If the individual
96.17 cites exigent circumstances, the county recorder or other government entity shall process
96.18 the request as soon as practicable.

96.19 (e) The prohibition on disclosure in paragraph (a) continues until:

96.20 (1) the individual has consented to the termination of the real property notice in a writing
96.21 signed by the individual and acknowledged by a notary public;

96.22 (2) the real property notice is terminated pursuant to a court order;

96.23 (3) the individual no longer holds a record interest in the real property identified in the
96.24 real property notice;

96.25 (4) the individual is deceased and a certified copy of the death certificate has been filed
96.26 with the county recorder or other government entity to which a notice was given under
96.27 subdivision 3; or

96.28 (5) the judicial official no longer qualifies as a judicial official. Notification that the
96.29 judicial official no longer qualifies as a judicial official must be given by the judicial official
96.30 to each county recorder or other government entity to which a notice under subdivision 3
96.31 was given within 90 days after the judicial official no longer qualifies as a judicial official.

97.1 (f) Upon termination of the prohibition of disclosure, the county recorder shall make
97.2 publicly viewable all documents and certificates of title that were previously partially or
97.3 wholly private and not viewable pursuant to a notice filed under subdivision 3.

97.4 Subd. 5. Access to personal information in real property records; title
97.5 examination. (a) Upon request, the individual who submitted the real property notice under
97.6 subdivision 3 shall verify that the individual's real property is the property subject to a bona
97.7 fide title exam.

97.8 (b) The county recorder or other government entity shall provide the unredacted real
97.9 property records of an individual who submitted a real property notice under subdivision 3
97.10 upon request of any of the following persons:

97.11 (1) a licensed title insurance company representative, a licensed title insurance agent, a
97.12 licensed abstractor, or an attorney licensed to practice law in Minnesota;

182.20 (2) a mortgage loan originator;

182.21 (3) a real estate broker or a real estate salesperson; and

182.22 (4) an individual or entity that has made or received an offer for the purchase of real
182.23 property to or from an individual who submitted a real property notice under subdivision 3
182.24 whose address is subject to nondisclosure, provided the request is accompanied by a written
182.25 consent from the individual.

182.26 (c) A request made under paragraph (a) or (b) must be made on a notarized form and
182.27 include:

182.28 (1) the full legal name, title, address, and place of employment, if applicable, of the
182.29 person requesting the real property records;

182.30 (2) the lawful purpose for requesting the real property records;

182.31 (3) the requestor's relationship, if any, to the individual who submitted a real property
182.32 notice under subdivision 3;

183.1 (4) the legal description of the property subject to the title examination; and

183.2 (5) proof of the requestor's licensure.

183.3 (d) Personal information provided under this subdivision may be used only for the
183.4 purposes authorized in this subdivision or the lawful purposes set forth in the request for
183.5 disclosure form and may not be further disseminated to any other person. A person receiving
183.6 private data under this subdivision shall establish procedures to protect the data from further
183.7 dissemination unless further dissemination is required by law. However, the dissemination
183.8 of personal information in real property records by a licensed attorney or any employees in
183.9 the office of the licensed attorney is permitted when reasonably necessary for the provision
183.10 of legal services.

183.11 Subd. 6. **Service fees to county recorder or other government entity.** The county
183.12 recorder or any other government entity is authorized to charge the following service fees:

183.13 (1) up to \$40 for each real property notice under subdivision 3;

183.14 (2) up to \$40 for each consent submitted under subdivision 4, paragraphs (a), clause (1),
183.15 and (e), clause (1); and

183.16 (3) up to \$40 for each request submitted under subdivision 5.

183.17 These service fees shall not be considered county recorder fees under section 357.18 or
183.18 registrar of titles fees under section 508.82 or 508A.82 and shall be deposited into the county
183.19 recorder or other government entity's general fund.

183.20 **EFFECTIVE DATE.** This section is effective January 1, 2026.

97.13 (2) a mortgage loan originator;

97.14 (3) a real estate broker or a real estate salesperson; and

97.15 (4) an individual or entity that has made or received an offer for the purchase of real
97.16 property to or from an individual who submitted a real property notice under subdivision 3
97.17 whose address is subject to nondisclosure, provided the request is accompanied by a written
97.18 consent from the individual.

97.19 (c) A request made under paragraph (a) or (b) must be made on a notarized form and
97.20 include:

97.21 (1) the full legal name, title, address, and place of employment, if applicable, of the
97.22 person requesting the real property records;

97.23 (2) the lawful purpose for requesting the real property records;

97.24 (3) the requestor's relationship, if any, to the individual who submitted a real property
97.25 notice under subdivision 3;

97.26 (4) the legal description of the property subject to the title examination; and

97.27 (5) proof of the requestor's licensure.

97.28 (d) Personal information provided under this subdivision may be used only for the
97.29 purposes authorized in this subdivision or the lawful purposes set forth in the request for
97.30 disclosure form and may not be further disseminated to any other person. However, the
97.31 dissemination of personal information in real property records by a licensed attorney or any
98.1 employees in the office of the licensed attorney is permitted when reasonably necessary for
98.2 the provision of legal services.

98.3 Subd. 6. **Service fees to county recorder or other government entity.** The county
98.4 recorder or any other government entity is authorized to charge the following service fees:

98.5 (1) up to \$75 for each real property notice under subdivision 3;

98.6 (2) up to \$75 for each consent submitted under subdivision 4, paragraph (a), clause (1),
98.7 and subdivision 4, paragraph (e), clause (1); and

98.8 (3) up to \$75 for each request submitted under subdivision 5.

98.9 These service fees shall not be considered county recorder fees under section 357.18 or
98.10 registrar of titles fees under section 508.82 or 508A.82 and shall be deposited into the county
98.11 recorder or other government entity's general fund.

98.12 **EFFECTIVE DATE.** This section is effective January 1, 2026.