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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 1915

03/05/2025

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The bill was read for the first time and referred to the Committee on Children and Families Finance and Policy

- 1.1

A bill for an act
- 1.2

relating to child care; requiring child care centers to use video security cameras
- 1.3

to monitor infants and toddlers; appropriating money; amending Minnesota Statutes
- 1.4

2024, section 13.461, subdivision 28; proposing coding for new law in Minnesota
- 1.5

Statutes, chapter 142B.
- 1.6

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.7

Section 1. Minnesota Statutes 2024, section 13.461, subdivision 28, is amended to read:
- 1.8

Subd. 28. **Child care assistance program.** (a) Data collected, maintained, used, or
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disseminated by the welfare system pertaining to persons selected as legal nonlicensed child
- 1.10

care providers by families receiving child care assistance are classified under section 142E.02,
- 1.11

subdivision 6, paragraph (a). Child care assistance program payment data is classified under
- 1.12

section 142E.02, subdivision 6, paragraph (b).
- 1.13

(b) Video footage of child care provider operations collected or maintained by the
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commissioner of children, youth, and families is classified under section 142B.68, subdivision
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8.
- 1.16

Sec. 2. [142B.68] VIDEO SECURITY CAMERAS IN CHILD CARE CENTERS.
- 1.17

Subdivision 1. Definitions. (a) For the purposes of this section, the terms defined in this
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subdivision have the meanings given.
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(b) "Facility" means the indoor and outdoor space in which child care is provided that
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is owned, leased, or operated by a licensed child care program.
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(c) "Video security camera" means a video camera or other device that captures or
- 1.22

records video.

2.1 Subd. 2. Requirements for video security cameras. (a) By January 1, 2026, a licensed
2.2 child care center must have video security cameras to monitor and record infants and toddlers
2.3 in all public and shared areas of the facility as provided by this section.

2.4 (b) The video security cameras must:

2.5 (1) be turned on and recording at all times the licensed child care center is in operation;

2.6 (2) record and display the accurate date and time;

2.7 (3) have a display resolution of 720p or higher; and

2.8 (4) have a frame per second rate of 15 or higher.

2.9 Subd. 3. Retention and disposal of recordings. (a) A licensed child care center must
2.10 retain video security camera recordings required under this section for 90 calendar days
2.11 after the date of the recording. Except as provided under paragraph (b), a licensed child care
2.12 center must dispose of video security camera recordings required under this section after
2.13 90 calendar days.

2.14 (b) A licensed child care center that receives notice from a law enforcement official of
2.15 a suspected crime committed against a child at the center may not dispose of any video
2.16 security camera recordings required under this section until the law enforcement investigation
2.17 of the suspected crime is complete.

2.18 (c) A licensed child care center must adhere to additional requirements issued by the
2.19 commissioner regarding the retention and disposal of video security camera recordings
2.20 required under this section.

2.21 Subd. 4. Dissemination of recordings. (a) A licensed child care center may not sell,
2.22 share, transmit, or disseminate a video security camera recording required under this section
2.23 to any person except as authorized by this section.

2.24 (b) A child care center may disseminate a video security camera recording required
2.25 under this section pursuant to a valid court order, search warrant, or subpoena in a civil,
2.26 criminal, or administrative proceeding, including an investigation by the commissioner.

2.27 (c) A licensed child care center must establish a process by which a parent or legal
2.28 guardian may review, but not obtain a copy of, a video security camera recording required
2.29 under this section if the parent or legal guardian receives a daily written report from the
2.30 center indicating that the child was physically injured while in the facility.

2.31 (d) An employee of a licensed child care center who is the subject of proposed disciplinary
2.32 action by the center based upon evidence obtained by a video security camera must be given

access to that evidence for purposes of defending against the proposed action. An employee who obtains a recording or a copy of the recording must treat the recording or copy confidentially and must not further disseminate it to any other person except as required under law. The employee must not keep the recording or copy or a portion of the recording or copy after it is no longer needed for purposes of defending against a proposed action.

Subd. 5. **Written policy required.** A licensed child care center must have a written policy on the center's use of video security cameras that includes the following:

(1) the days and times the video security cameras in the facility are in use;

(2) the locations of all video security cameras in the facility;

(3) the center's retention and disposal policies and procedures for the video security camera recordings required under this section; and

(4) the center's policies governing access to the video security camera recordings required under this section.

Subd. 6. **Notices.** (a) A licensed child care center must notify all parents and legal guardians who apply for placement or enroll a child in the center about the use of video security cameras in the facility. At the time of a child's enrollment, the center must provide parents and legal guardians with the video security camera policy required under subdivision 5.

(b) A licensed child care center must post a sign at each facility entrance accessible to visitors that states: "Video security cameras are present to record persons and activities."

Subd. 7. **Commissioner's duties.** By October 1, 2025, the commissioner must issue templates for the written policy required under subdivision 5 and the notice to parents and legal guardians under subdivision 6, paragraph (a), that licensed child care centers may use to meet the requirements of this section.

Subd. 8. **Data practices.** Video footage collected or maintained by the commissioner under this section is classified as private data on individuals, as defined by section 13.02, subdivision 12.

Sec. 3. APPROPRIATION; CHILD CARE IMPROVEMENT GRANTS.

\$150,000 in fiscal year 2026 and \$150,000 in fiscal year 2027 are appropriated from the general fund to the commissioner of children, youth, and families for the child care improvement grant program under Minnesota Statutes, section 142D.20, subdivision 3, paragraph (a), clause (7). This appropriation must be used for grants to child care centers

4.1 licensed under Minnesota Statutes, chapter 142B, and Minnesota Rules, chapter 9503, for
4.2 equipment needed to comply with the video security camera requirements under Minnesota
4.3 Statutes, section 142B.68. The base for this appropriation is \$150,000 in fiscal year 2028
4.4 and beyond. Notwithstanding Minnesota Statutes, section 16B.98, subdivision 14, the amount
4.5 for administrative costs under this paragraph is \$0.