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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2382

03/11/2019 Authored by Wazlawik, Becker-Finn and Fischer
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy

1.1 A bill for an act
1.2 relating to environment; modifying data accessibility related to environmental
1.3 hazards; amending Minnesota Statutes 2018, section 13.39, subdivision 2.

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

1.5 Section 1. Minnesota Statutes 2018, section 13.39, subdivision 2, is amended to read:

1.6 Subd. 2. Civil actions. (a) Except as provided in paragraph (b), data collected by a
1.7 government entity as part of an active investigation undertaken for the purpose of the
1.8 commencement or defense of a pending civil legal action, or which are retained in
1.9 anticipation of a pending civil legal action, are classified as protected nonpublic data pursuant
1.10 to section 13.02, subdivision 13, in the case of data not on individuals and confidential
1.11 pursuant to section 13.02, subdivision 3, in the case of data on individuals. Any government
1.12 entity may make any data classified as confidential or protected nonpublic pursuant to this
1.13 subdivision accessible to any person, agency, or the public if the government entity
1.14 determines that the access will:

1.15 (1) aid the law enforcement process;

1.16 (2) promote public health or safety;

1.17 (3) facilitate community awareness of, preparedness for, or response to a release or
1.18 threatened release into the environment of a hazardous substance or a pollutant or
1.19 contaminant, as those terms are defined in section 115B.02; or

1.20 (4) dispel widespread rumor or unrest.

1.21 (b) A complainant has access to a statement provided by the complainant to a government
1.22 entity under paragraph (a).

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