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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 347

01/28/2021

Authored by Scott

The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law

1.1 A bill for an act
1.2 relating to government data practices; expanding the requirement for notification
1.3 of security breaches; amending Minnesota Statutes 2020, section 13.055,
1.4 subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2020, section 13.055, subdivision 1, is amended to read:

1.7 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the
1.8 meanings given to them.

1.9 (a) "Breach of the security of the data" means unauthorized acquisition of data maintained
1.10 by a government entity that compromises the security and classification of the data. Good
1.11 faith acquisition of or access to government data by an employee, contractor, or agent of a
1.12 government entity for the purposes of the entity is not a breach of the security of the data,
1.13 if the government data is not provided to or viewable by an unauthorized person, or accessed
1.14 for a purpose not described in the procedures required by section 13.05, subdivision 5. For
1.15 purposes of this paragraph, data maintained by a government entity includes data maintained
1.16 by a person under a contract with the government entity that provides for the acquisition of
1.17 or access to the data by an employee, contractor, or agent of the government entity.

1.18 (b) "Contact information" means either name and mailing address or name and e-mail
1.19 address for each individual who is the subject of data maintained by the government entity.

1.20 (c) "Unauthorized acquisition" means that a person has obtained, accessed, or viewed
1.21 government data without the informed consent of the individuals who are the subjects of
1.22 the data or statutory authority ~~and with the intent to use the data for nongovernmental~~
1.23 ~~purposes.~~

- 2.1 (d) "Unauthorized person" means any person who accesses government data without a
2.2 work assignment that reasonably requires access, or regardless of the person's work
2.3 assignment, for a purpose not described in the procedures required by section 13.05,
2.4 subdivision 5.