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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4551

1.1 A bill for an act
1.2 relating to state government; prohibiting state agencies and the Metropolitan
1.3 Council from soliciting or obtaining certain cellular telephone data; requiring the
1.4 destruction of existing data; proposing coding for new law in Minnesota Statutes,
1.5 chapters 15; 473.

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

1.7 Section 1. [15.996] PURCHASE OF CELLULAR TELEPHONE DATA
1.8 PROHIBITED.

1.9 A state agency may not solicit or obtain, through purchase or other agreement, any data
1.10 that documents the movements or activities of a user of a cellular telephone from a
1.11 telecommunications provider or other source unless expressly authorized by law. This
1.12 prohibition includes soliciting or obtaining data in bulk or individualized format and applies
1.13 regardless of whether particular users can be identified in the data. This section does not
1.14 prohibit the collection of the data when authorized by a warrant.

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

1.16 Sec. 2. [473.1469] PURCHASE OF CELLULAR TELEPHONE DATA PROHIBITED.

1.17 The council may not solicit or obtain, through purchase or other agreement, any data
1.18 that documents the movements or activities of a user of a cellular telephone from a
1.19 telecommunications provider or other private source unless expressly authorized by law.
1.20 This prohibition includes soliciting or obtaining data in bulk or individualized format and
1.21 applies regardless of whether particular users can be identified in the data.

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

2.1 Sec. 3. **DESTRUCTION OF EXISTING DATA REQUIRED.**

2.2 To the extent a state agency or the Metropolitan Council maintains data that would
2.3 otherwise violate sections 1 or 2, the data may not be further shared or used for any purpose,
2.4 and must be destroyed no later than July 1, 2020.