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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4648

03/07/2024 Authored by Feist
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 data practices; classifying certain information as private data on
1.3 individuals; amending Minnesota Statutes 2022, section 13.04, by adding a
1.4 subdivision; repealing Minnesota Statutes 2022, section 13.356.
1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.6 Section 1. Minnesota Statutes 2022, section 13.04, is amended by adding a subdivision
1.7 to read:
1.8 Subd. 1a. Private data on an individual. (a) The following data is private data on an
1.9 individual unless otherwise classified elsewhere:
1.10 (1) contact information for an individual, including but not limited to residential address,
1.11 personal email address, and personal telephone number; and
1.12 (2) names of minor children, as defined in section 524.5-102, subdivision 10.
1.13 (b) Subdivision 2 does not apply to data classified under paragraph (a). Paragraph (a)
1.14 does not apply to data submitted by an individual to the Campaign Finance Board to meet
1.15 the legal requirements imposed by chapter 10A or to data in a state agency's rulemaking
1.16 email list.
1.17 (c) Data provided under paragraph (a):
1.18 (1) is subject to sharing or dissemination pursuant to court order under section 13.03,
1.19 subdivision 6;
1.20 (2) may be used by the government entity to communicate with the individual; and

2.1 (3) may be used by the government entity to perform its health, safety, or welfare
2.2 functions, or to provide government services.

2.3 (d) Data provided under paragraph (a) that is classified as private data on individuals
2.4 elsewhere may be shared or disseminated pursuant to the section classifying the data.

2.5 (e) This subdivision does not apply to data on an individual contained in a real property
2.6 record, which is any record of data that is maintained as part of the county real estate
2.7 document recording system for use by the public, data on assessments, data on real or
2.8 personal property taxation, and other data on real property.

2.9 **Sec. 2. REPEALER.**

2.10 Minnesota Statutes 2022, section 13.356, is repealed.

13.356 PERSONAL CONTACT AND ONLINE ACCOUNT INFORMATION.

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

(1) telephone number;

(2) email address; and

(3) Internet user name, password, Internet protocol address, and any other similar data related to the individual's online account or access procedures.

(b) Section 13.04, subdivision 2, does not apply to data classified under paragraph (a). Paragraph (a) does not apply to data submitted by an individual to the Campaign Finance Board to meet the legal requirements imposed by chapter 10A, to data submitted for purposes of making a public comment, or to data in a state agency's rulemaking email list.

(c) Data provided under paragraph (a) may only be used for the specific purpose for which the individual provided the data.