

S.F. No. 724 – Modifying the Minnesota Code of Military Justice - Civil Law & Data Practices Provisions Only (1st engrossment)

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Article 1 – Data Access

Section 1. [13.43, subd. 5b] Military personnel data. Classifies the following as private data on individuals: (1) all personnel data maintained by the Department of Military Affairs on military forces called to state active services; and (2) all data on paid or unpaid military leave on all government entity employees.

Section 2. [13.91] National Guard. Exempts the National Guard from the requirements of **chapter 13, the Minnesota Government Data Practices Act.**

Section 3. [192.67, subd. 2] Service member data. Upon request of the Office of the State Judge Advocate, disclosure of all investigative reports and law enforcement data pertaining to any service member to the adjutant general of the Minnesota National Guard is required.

Article 2 – Bar Admission; Judicial Qualifications

Section 1. [192A.041] Practice of military law. Provides an exemption from **section 481.02**, a statute prohibiting the unauthorized practice of law, for a commissioned officer who meets certain requirements to conduct administrative or Minnesota Code of Military Justice activities, including service as a member of the Judge Advocate General Corps for at least two years.

Section 2. [192A.15, subd. 1] Establishment. Removes a reference to “state” military forces.

Section 3. [192A.15, subd. 2] Qualifications of a military judge. Removes the requirement that a military judge be a member of the Minnesota bar and replaces it with a requirement that the military judge be a member of the bar of any state.

Section 4. [192A.155, subd. 2] Qualification of counsel. Removes a requirement that counsel be a member of the Minnesota bar and replaces it with a requirement that counsel be a member of the bar of any state.