

1.1 **Senator Latz from the Committee on Judiciary and Public Safety, to which was**
1.2 **re-referred**

1.3 **S.F. No. 2225:** A bill for an act relating to state government; making changes to data
1.4 practices; establishing the Office of Collaboration and Dispute Resolution; establishing the
1.5 Office of Enterprise Sustainability; removing an expired report on state government use of
1.6 eligible contractors; modifying provisions for historic properties and fair campaign practices;
1.7 amending Minnesota Statutes 2022, sections 13.04, subdivision 4; 16B.58, by adding a
1.8 subdivision; 16C.36; 138.081, subdivision 3; 138.665, subdivision 2; 211B.20, subdivision
1.9 1; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota
1.10 Statutes 2022, sections 179.90; 179.91.

1.11 Reports the same back with the recommendation that the bill be amended as follows:

1.12 Page 1, delete section 1 and insert:

1.13 "Section 1. Minnesota Statutes 2022, section 13.04, subdivision 4, is amended to read:

1.14 Subd. 4. **Procedure when data is not accurate or complete.** (a) An individual subject
1.15 of the data may contest the accuracy or completeness of public or private data about
1.16 themselves.

1.17 (b) To exercise this right, an individual shall notify in writing the responsible authority
1.18 of the government entity that maintains the data, describing the nature of the disagreement.

1.19 (c) Upon receiving notification from the data subject, the responsible authority shall
1.20 within 30 days either:

1.21 (1) correct the data found to be inaccurate or incomplete and attempt to notify past
1.22 recipients of inaccurate or incomplete data, including recipients named by the individual;
1.23 or

1.24 (2) notify the individual that the responsible authority believes has determined the data
1.25 to be correct. If the challenged data are determined to be accurate or complete, the responsible
1.26 authority shall inform the individual of the right to appeal the determination to the
1.27 commissioner as specified under paragraph (d). Data in dispute shall be disclosed only if
1.28 the individual's statement of disagreement is included with the disclosed data.

1.29 (d) A data subject may appeal the determination of the responsible authority ~~may be~~
1.30 ~~appealed~~ pursuant to the provisions of the Administrative Procedure Act relating to contested
1.31 cases. An individual must submit an appeal to the commissioner within 60 days of the
1.32 responsible authority's notice of the right to appeal or as otherwise provided by the rules of
1.33 the commissioner. Upon receipt of an appeal by an individual, the commissioner shall,
1.34 before issuing the order and notice of a contested case hearing required by chapter 14, try
1.35 to resolve the dispute through education, conference, conciliation, or persuasion. If the

2.1 parties consent, the commissioner may refer the matter to mediation. Following these efforts,
2.2 the commissioner shall dismiss the appeal or issue the order and notice of hearing.

2.3 (e) The commissioner may dismiss an appeal without first attempting to resolve the
2.4 dispute or before issuing an order and notice of a contested case hearing if:

2.5 (1) the appeal to the commissioner is not timely;

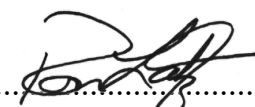
2.6 (2) the appeal concerns data previously presented as evidence in a court proceeding in
2.7 which the data subject was a party; or

2.8 (3) the individual making the appeal is not the subject of the data challenged as inaccurate
2.9 or incomplete.

2.10 ~~(b)~~ (f) Data on individuals that have been successfully challenged by an individual must
2.11 be completed, corrected, or destroyed by a government entity without regard to the
2.12 requirements of section 138.17.

2.13 (g) After completing, correcting, or destroying successfully challenged data, a government
2.14 entity may retain a copy of the commissioner of administration's order issued under chapter
2.15 14 or, if no order were issued, a summary of the dispute between the parties that does not
2.16 contain any particulars of the successfully challenged data."

2.17 And when so amended the bill do pass and be re-referred to the Committee on State and
2.18 Local Government and Veterans. Amendments adopted. Report adopted.

2.19 
2.20
(Committee Chair)

2.21 March 22, 2023.....
2.22 (Date of Committee recommendation)