

1.1 Senator ..... moves to amend the delete-everything amendment (SCS2909A-2)  
 1.2 to S.F. No. 2909 as follows:

1.3 Page 5, line 2, delete "conduct" and insert "begin"

1.4 Page 40, after line 5, insert:

1.5 "Section 1. Minnesota Statutes 2022, section 13.825, subdivision 3, is amended to read:

1.6 Subd. 3. **Retention of data.** (a) Portable recording system data that are not active or  
 1.7 inactive criminal investigative data and are not described in paragraph (b) or (c) must be  
 1.8 maintained for at least 90 days and destroyed according to the agency's records retention  
 1.9 schedule approved pursuant to section 138.17.

1.10 (b) Portable recording system data must be maintained for at least one year and destroyed  
 1.11 according to the agency's records retention schedule approved pursuant to section 138.17  
 1.12 if:

1.13 (1) the data document (i) the discharge of a firearm by a peace officer in the course of  
 1.14 duty if a notice is required under section 626.553, subdivision 2, or (ii) the use of force by  
 1.15 a peace officer that results in substantial bodily harm; or

1.16 (2) a formal complaint is made against a peace officer related to the incident.

1.17 (c) Portable recording system data that document a peace officer's use of deadly force  
 1.18 must be maintained indefinitely.

1.19 (d) If a subject of the data submits a written request to the law enforcement agency to  
 1.20 retain the recording beyond the applicable retention period for possible evidentiary or  
 1.21 exculpatory use related to the circumstances under which the data were collected, the law  
 1.22 enforcement agency shall retain the recording for an additional time period requested by  
 1.23 the subject of up to 180 days and notify the requester that the recording will then be destroyed  
 1.24 unless a new request is made under this paragraph.

1.25 ~~(d)~~ (e) Notwithstanding paragraph (b) ~~or~~, (c), or (d), a government entity may retain a  
 1.26 recording for as long as reasonably necessary for possible evidentiary or exculpatory use  
 1.27 related to the incident with respect to which the data were collected."

1.28 Page 70, after line 28, insert:

1.29 "EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes  
 1.30 committed on or after that date."

1.31 Page 88, line 20, delete ". The policy must" and insert "; (2)"

- 2.1 Page 88, line 23, delete everything after "3" and insert a semicolon
- 2.2 Page 88, line 25, strike "(2)" and insert "(3)"
- 2.3 Page 88, delete line 24
- 2.4 Page 89, delete lines 5 to 24
- 2.5 Renumber the clauses in sequence
- 2.6 Renumber the sections in sequence and correct the internal references
- 2.7 Amend the title accordingly