

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

1.3 **S.F. No. 2915:** A bill for an act relating to consumer data privacy; giving various rights
1.4 to consumers regarding personal data; placing obligations on certain businesses regarding
1.5 consumer data; providing for enforcement by the attorney general; proposing coding for
1.6 new law in Minnesota Statutes, chapter 13; proposing coding for new law as Minnesota
1.7 Statutes, chapter 325O.

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

1.9 Page 2, line 5, delete "(e)" and insert "(g)"

1.10 Page 3, line 27, delete "a consumer" and after "lawfully" insert "been"

1.11 Page 4, line 18, delete "or"

1.12 Page 4, line 21, delete the period and insert "; or"

1.13 Page 4, after line 21, insert:

1.14 "(6) the exchange of personal data between the producer of a good or service and
1.15 authorized agents of the producer who sell and service those goods and services, to enable
1.16 the cooperative provisioning of goods and services by both the producer and its agents."

1.17 Page 9, line 8, delete "and"

1.18 Page 9, line 10, delete the period and insert "; and"

1.19 Page 9, after line 10, insert:

1.20 "(21) an air carrier subject to the federal Airline Deregulation Act, Public Law 95-504,
1.21 only to the extent that an air carrier collects personal data related to prices, routes, or services
1.22 and only to the extent that the provisions of the Airline Deregulation Act preempt the
1.23 requirements of this chapter."

1.24 Page 11, line 27, delete "solely"

1.25 Page 11, line 31, delete "and" and insert ", to"

1.26 Page 11, line 32, delete "as well as the" and insert "and, if feasible, to be informed of
1.27 what" and delete the second "that"

1.28 Page 12, line 2, delete "customer's" and insert "consumer's"

1.29 Page 12, after line 4, insert:

1.30 "(h) A consumer has a right to obtain a list of the specific third parties to which the
1.31 controller has disclosed the consumer's personal data. If the controller does not maintain

2.1 this information in a format specific to the consumer, a list of specific third parties to whom
2.2 the controller has disclosed any consumers' personal data may be provided instead."

2.3 Page 12, after line 12, insert:

2.4 "(d) A consumer may designate another person as the consumer's authorized agent to
2.5 exercise the consumer's right to opt out of the processing of the consumer's personal data
2.6 under subdivision 1, paragraph (f), on the consumer's behalf. A consumer may designate
2.7 an authorized agent by way of, among other things, a technology, including, but not limited
2.8 to, an Internet link or a browser setting, browser extension, or global device setting, indicating
2.9 such consumer's intent to opt out of such processing. A controller shall comply with an
2.10 opt-out request received from an authorized agent if the controller is able to verify, with
2.11 commercially reasonable effort, the identity of the consumer and the authorized agent's
2.12 authority to act on the consumer's behalf."

2.13 Page 14, line 4, delete "(e)" and insert "(g)"

2.14 Page 16, line 10, delete "(e)" and insert "(g)"

2.15 Page 18, line 7, after "menu" insert "or in a similarly conspicuous and accessible location"

2.16 Page 18, line 13, delete "as" and insert "which must be"

2.17 Page 18, line 20, after "personal data" insert ", including the maintenance of an inventory
2.18 of the data that must be managed to exercise these responsibilities"

2.19 Page 19, after line 4, insert:

2.20 "(g) A controller may not retain personal data that is no longer relevant and reasonably
2.21 necessary in relation to the purposes for which such data were collected and processed,
2.22 unless retention of the data is otherwise required by law."

2.23 Page 19, line 15, after "not" insert ": (1) require a controller to provide a good or service
2.24 that requires the personal data of a consumer that the controller does not collect or maintain;
2.25 or (2)"

2.26 Page 20, line 8, after "PRIVACY" and insert "POLICIES" and after "AND" insert
2.27 "DATA PRIVACY"

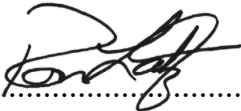
2.28 Page 20, delete lines 9 to 11 and insert:

2.29 "(a) A controller must document and maintain a description of the policies and procedures
2.30 it has adopted to comply with this chapter. The description must include, where applicable:"

2.31 Page 20, line 13, delete "officer" and insert "individual"

- 3.1 Page 20, line 14, after the semicolon, insert "and"
- 3.2 Page 20, line 15, delete "ensure"
- 3.3 Page 20, line 16, delete "compliance with" and insert "reflect the requirements in"
- 3.4 Page 20, line 21, after "data" insert ", including the maintenance of an inventory of the
3.5 data that must be managed to exercise these responsibilities"
- 3.6 Page 20, delete lines 24 and 25 and insert:
- 3.7 "(v) prevent the retention of personal data that is no longer relevant and reasonably
3.8 necessary in relation to the purposes for which such data were collected and processed,
3.9 unless retention of the data is otherwise required by law; and"
- 3.10 Page 20, line 26, delete the semicolon and insert a period
- 3.11 Page 20, delete lines 27 and 28 and insert:
- 3.12 "(b) A controller must conduct and document a data privacy and protection assessment
3.13 for each of the following processing activities involving personal data:"
- 3.14 Page 20, line 29, delete "(i)" and insert "(1)"
- 3.15 Page 20, line 30, delete "(ii)" and insert "(2)"
- 3.16 Page 21, line 1, delete "(iii)" and insert "(3)"
- 3.17 Page 21, line 2, delete "(iv)" and insert "(4)"
- 3.18 Page 21, line 4, delete "(v)" and insert "(5)"
- 3.19 Page 21, line 6, delete "(A)" and insert "(i)"
- 3.20 Page 21, line 7, delete "(B)" and insert "(ii)"
- 3.21 Page 21, line 8, delete "(C)" and insert "(iii)"
- 3.22 Page 21, line 11, delete "(D)" and insert "(iv)" and delete "; and" and insert a period
- 3.23 Page 21, delete lines 12 to 14
- 3.24 Page 21, line 15, delete "(b)" and insert "(c)"
- 3.25 Page 21, line 18, delete "(c)" and insert "(d)"
- 3.26 Page 21, after line 25, insert:
- 3.27 "(e) A data privacy and protection assessment must include the description of policies
3.28 and procedures required by paragraph (a)."

- 4.1Page 21, line 26, delete "(d)" and insert "(f)"
- 4.2Page 22, line 3, delete "(e)" and insert "(g)"
- 4.3Page 22, line 6, delete "(f)" and insert "(h)"
- 4.4Page 22, line 11, after "regulations" insert ", including but not limited to data retention
- 4.5requirements in state or federal law notwithstanding a consumer's request to delete personal
- 4.6data"
- 4.7Page 23, line 15, delete "for internal use only"
- 4.8Page 23, line 18, delete "solely"
- 4.9Page 24, line 12, delete everything after "(f)"
- 4.10Page 24, line 13, delete everything before "Personal"
- 4.11And when so amended the bill do pass and be re-referred to the Committee on State and
- 4.12Local Government and Veterans. Amendments adopted. Report adopted.
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(Committee Chair)
- 4.15March 20, 2024.....
- 4.16

(Date of Committee recommendation)