



MINNESOTA ASSOCIATION OF COUNTY OFFICERS

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Chair Latz and Members of the Senate Judiciary and Public Safety Committee,

The Minnesota Association of County Officers (MACO) is comprised of the Minnesota County Recorders Association (MCRA) and the Minnesota Association of County Auditors, Treasurers, and Financial Officers (MACATFO) and represents county officers from all 87 Minnesota Counties.

While MACO/MCRA has participated in the Judicial Safety Working Group and appreciates the acceptance of some of our recommendations, several issues causing major concerns remain in Senate File 2039. If unaddressed, these concerns will present very difficult challenges to county officers resulting in significant strains on county resources and local property taxpayers.

We respectfully provide the following response to Senate File 2039:

1. To efficiently comply with the retroactive privatization of personal information for judicial officials, it is important to limit the scope to **records made available by the county recorder or other government entity through the internet**. This is especially relevant for tax, assessment, and other real property records, as it is more challenging to identify and mask the specific records needing protection.
2. We continue to have strong concerns regarding the **inclusion of judicial staff** in the draft and assert that the inclusion of staff creates administrative challenges due to the potential large volume of individuals and real properties when combined with retroactivity and other challenges. These challenges will drastically increase any administrative costs to counties and local taxpayers to implement. While it is understandable to protect staff, the Safe at Home program offers more effective and readily available protections.

It is also important to acknowledge the inevitability that this legislation will be expanded in the future to include other professions. This is another reason why we urge careful consideration of the volume of participants in relationship to how counties will be required to administer these provisions.

3. Due to the inherent challenges of retroactively protecting real property records, personal information can be acquired through various means other than from government entities or recorder property records. As a result, we request that the **exclusive remedy** for any violation of this section be a civil penalty of \$5,000, payable to the state general fund.

Retroactively privatizing real property records is challenging. We currently mask records for Safe at Home participants and Federal Judges and their families. Each of these programs is different, and the existence of various laws and processes adds to these challenges, especially where there is not an administrative body managing the program. The suggested improvements above will help alleviate some of these challenges.

Thank you for this opportunity for MACO/MCRA to provide feedback. We look forward to your consideration of our comments and continued future discussions.

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