



S.F. No. 2039 – Judicial official data; real property records

Author: Senator Ron Latz

Prepared by: Priyanka Premo, Senate Counsel (priyanka.premo@mnsenate.gov)

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Overview

A 2024 law¹ classified certain personal information about judicial officials held with government entities as private data on individuals. However, the law exempted real property records. **SF 2039** removes the exemption and creates specific procedures related to judicial official data maintained in real property records. This bill also makes it a crime to use a false writing to procure or disseminate the personal information of a judicial official.

Summary

Section 1. [13.991; Judicial official data; personal information] This section makes a conforming change.

Section 2. [480.40, subd. 3; Exceptions] This section makes a conforming change.

Section 3. [480.45, subd. 2; Removal of personal information; exception] This section makes a conforming change.

Section 4. [480.50; Personal information in real property records] This section classifies a judicial official's personal information in real property records as private data on individuals. The penalties and remedies under chapter 13 (the Minnesota Government Data Practices Act) only apply if the judicial official has provided a real property notice to the government entity. If the subject of the data is an adult child of the judicial official who does not reside with the judicial official, the adult child must provide information confirming their status as an adult child of a judicial official. A real property notice and a notification by an adult child of their status as a child of a judicial official are classified as private data on individuals.

A judicial official must provide a real property notice to the county recorder in the county where the property is located and the Office of the Secretary of State. To affect other real property records, the judicial official must provide the notice the responsible authority for the government entity that maintains the records. The real property notice must be on a form provided by the judicial branch.

¹ Laws 2024, chapter 123, article 12

Upon receipt of the real property notice, a government entity must not disclose the judicial official's personal information without their consent, except pursuant to a court order or for the purpose of administering assessments and taxation laws. The county recorder must establish recording procedures that comply with this section.

A county recorder or other government entity must process the real property notice within 60 days, unless exigent circumstances exist. The disclosure prohibitions apply until the judicial official terminates the real property notice, the notice is terminated pursuant to a court order, the judicial official no longer holds a record interest in the identified real property, or the judicial official no longer qualifies as a judicial official.

Pursuant to a court order or with the judicial official's consent, unredacted property records may be provided to certain licensed professionals, a mortgage loan originator, a real estate broker, or certain buyers or sellers of real property. A person who receives unredacted property information must establish procedures to safeguard the data from further disclosure.

A county or other government entity may charge service fees.

Section 5. [609.63, subd. 1; Crime defined; intent to defraud] This section provides that a person is guilty of forgery if, with the intent to injure or defraud, the person uses a false writing, knowing it to be false, for the purpose of procuring or disseminating the personal information of a judicial official.

Effective date. This bill is effective January 1, 2026.



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95 University Ave. W., STE 3300, Saint Paul, MN, 55155