

Data practices and records management

HENNEPIN COUNTY
MINNESOTA

Updates to the Data Practices, Official Records, and Records Management

This legislation updates and modernizes the Data Practices Act (Chapter 13), the Official Records Act (15.17) and the Records Management Act (138.17) to ensure each act continues to fulfill the underlying principles of the legislation while supporting effective and efficient government functions regardless of the technology.

Require Responsible Authorities to monitor access to private and confidential data

Add language to 13.05 to require the Responsible Authority to establish procedures to monitor access to private and confidential data.

- Language already exists that requires the Responsible Authority to establish safeguards to limit access to private or confidential data on individuals. Most new technologies include audit log functions which government entities can use to meet the monitoring requirement.
- This new language requires the government to establish procedures for monitoring access to private and confidential data in a way that is not overly prescriptive and unworkable given the variety of technology systems and software used at different levels of government.

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Individual privacy rights

Modify 13.356 to classify telephone numbers and email addresses of individuals as private.

- As government entities do more business with individuals on-line, the creation of accounts to interact with the government is not protected and is subject to public data requests.
- This could result in numerous unwanted communications to residents from solicitors and other third parties.
- This section makes people's phone numbers and personal email addresses private data.

Names of library patrons who are minor children

Modify 13.40 to classify names of minor children who are library patrons as private.

- Many areas of the law recognize that minor children are some of our most vulnerable residents and need greater protections than adults.
- Chapter 13 already classifies most data about minor children as private, but there are gaps.
- Hennepin County seeks to close those gaps to protect the names of minor children who are library patrons when responding to data practices requests.

Digitizing official records

Update language in 15.17 and 138.17 to allow for the digital reproduction of permanent records and removes the list of storage mediums.

- An unintended outcome of changes made to 15.17 and 138.17 in 2007 prohibited the digital reproduction of permanent official records that have been identified as not having archival value by the Minnesota Records Disposition Panel.
- Many new permanent records only originate in a digital form.
- The current list of formats for reproducing records contains storage mediums that limit access due to availability, such as microfiche and optical discs, while not including some of the new technology available.
- The proposed language focuses the requirement on reproduction in a manner that provides a level of quality to ensure permanent records.