



April 9, 2025

Re: SF 1098

Dear Chair Latz and Senate Judiciary and Public Safety Committee Members,

The Association of Minnesota Counties (AMC), on behalf of Minnesota's 87 counties, **writes to provide feedback and general policy considerations regarding SF 1098.**

Counties are grateful that SF 1098 limits the judicial safety provisions (123.7-123.8 A-1 amendment) to judges only. We understand that many public-facing employees in the judicial branch as well as county government may seek the protections offered in SF 1098 in the future, but allowing counties to adapt to this new legislation with a smaller group of applicants will ensure a more efficient and effective process.

There are, however, two areas of concern that remain for counties that we want to express to the committee: liability and cost.

Only certain staff at counties would be assigned to access this information since it's stored across many systems—property tax payments, permit applications, division of lots, and so forth. Some information is stored in paper tract books and digital image scans of those books, which are incredibly difficult to redact. Counties would be relying on very few people to complete the work and if it is not completed fully and accurately, counties would be liable under the Data Practices Act for violations of this new law. This is a problem for all counties, but particularly small counties that have only one or two employees that are able to work on any requests that come in.

Since this law may be the basis for additional public employee groups—judicial staff, county attorneys, peace officers, correctional employees, etc.—counties remain concerned about our level of liability. Considerable taxpayer funds could be spent defending lawsuits and exclusive remedy is one way to mitigate this liability.

Over the last two weeks, counties conducted a survey of employees who would be responsible for completing the work of redacting and masking real property records. To complete the work for one property, smaller counties estimate 8-24 hours, and larger counties estimate 24-48 hours. Surveyed counties estimated that the lowest paid employee would cost \$25-\$40 per hour and the highest paid employee would cost \$45-\$60 per hour, leading to a range of \$200-\$2,880, per property. **Counties ask members to consider language that allows counties to recoup up to \$3,000 per application.**

We appreciate your considerations of these concerns and hope to continue engaging collaboratively with stakeholders as the session continues.

Sincerely,

Nathan Zacharias, Technology Policy Analyst
Association of Minnesota Counties