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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1360**

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The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

1.1 A bill for an act
1.2 relating to data practices; clarifying duties and classifications; making technical
1.3 changes; amending Minnesota Statutes 2006, sections 13.02, subdivision 11;
1.4 13.04, subdivisions 3, 4; 13.05, subdivision 10; 13.35; 13.355, subdivision 1;
1.5 13.384, subdivisions 1, 2; 13.39, subdivisions 1, 2, 3; 13.393; 13.40, subdivisions
1.6 1, 3; 13.41, subdivision 3; 13.43, subdivisions 2, 5, 7, 10, 11; 13.435; 13.44,
1.7 subdivisions 1, 2, 3; 13.462, subdivisions 2, 3; 13.48; 13.552, subdivision 3;
1.8 13.861, subdivision 1; 13.87, subdivision 2; proposing coding for new law in
1.9 Minnesota Statutes, chapter 13; repealing Minnesota Statutes 2006, section
1.10 13.79, subdivision 2.

1.11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.12 **ARTICLE 1**
1.13 **GENERAL**

1.14 Section 1. Minnesota Statutes 2006, section 13.04, subdivision 3, is amended to read:

1.15 Subd. 3. **Access to data by individual.** Upon request to a responsible authority
1.16 or designee, an individual shall be informed whether the individual is the subject of
1.17 stored data on individuals, and whether it is classified as public, private or confidential.
1.18 Upon further request, an individual who is the subject of stored private or public data on
1.19 individuals shall be shown the data without any charge and, if desired, shall be informed
1.20 of the content and meaning of that data. After an individual has been shown the private
1.21 data and informed of its meaning, the data need not be disclosed to that individual for
1.22 six months thereafter unless a dispute or action pursuant to this section is pending or
1.23 additional data on the individual has been collected or created. The responsible authority
1.24 or designee shall provide copies of the private or public data upon request by the individual
1.25 subject of the data. The responsible authority or designee may require the requesting
1.26 person to pay the actual costs of making; and certifying; ~~and compiling~~ the copies.

2.1 The responsible authority or designee shall comply immediately, if possible, with
 2.2 any request made pursuant to this subdivision, or within ten days of the date of the request,
 2.3 excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible.

2.4 **Sec. 2. [13.7908] BUREAU OF MEDIATION SERVICES DATA.**

2.5 Subdivision 1. **Representation data.** Authorization signatures or cards furnished in
 2.6 support of a petition filed or election conducted under sections 179.16, 179.18 to 179.25,
 2.7 and 179A.12, and ballots, prior to the time of tabulation, are classified as protected
 2.8 nonpublic data or confidential data on individuals.

2.9 Subd. 2. **Mediation data.** Data received or maintained by the staff or commissioner
 2.10 of the Bureau of Mediation Services during the course of providing mediation services to
 2.11 the parties to a labor dispute under chapter 179 are classified as protected nonpublic data
 2.12 or confidential data on individuals, except to the extent the commissioner of the Bureau of
 2.13 Mediation Services determines access to data is necessary to fulfill the requirements of
 2.14 section 179A.16 or to identify the general nature of or parties to a labor dispute.

2.15 **Sec. 3. REPEALER.**

2.16 Minnesota Statutes 2006, section 13.79, subdivision 2, is repealed.

2.17 **ARTICLE 2**

2.18 **GOVERNMENT ENTITY TERMINOLOGY**

2.19 Section 1. Minnesota Statutes 2006, section 13.02, subdivision 11, is amended to read:

2.20 Subd. 11. **Political subdivision.** "Political subdivision" means any county, statutory
 2.21 or home rule charter city, school district, special district, any town exercising powers
 2.22 under chapter 368 and located in the metropolitan area, as defined in section 473.121,
 2.23 subdivision 2, and any board, commission, district or authority created pursuant to law,
 2.24 local ordinance or charter provision. It includes any nonprofit corporation which is a
 2.25 community action agency organized pursuant to the Economic Opportunity Act of 1964
 2.26 (Public Law 88-452) as amended, to qualify for public funds, or any nonprofit social
 2.27 service agency which performs services under contract to ~~any political subdivision,~~
 2.28 ~~statewide system or state agency~~ a government entity, to the extent that the nonprofit social
 2.29 service agency or nonprofit corporation collects, stores, disseminates, and uses data on
 2.30 individuals because of a contractual relationship with ~~state agencies, political subdivisions~~
 2.31 ~~or statewide systems~~ a government entity.

2.32 Sec. 2. Minnesota Statutes 2006, section 13.04, subdivision 4, is amended to read:

3.1 Subd. 4. **Procedure when data is not accurate or complete.** (a) An individual
 3.2 subject of the data may contest the accuracy or completeness of public or private data.
 3.3 To exercise this right, an individual shall notify in writing the responsible authority
 3.4 describing the nature of the disagreement. The responsible authority shall within 30 days
 3.5 either: (1) correct the data found to be inaccurate or incomplete and attempt to notify past
 3.6 recipients of inaccurate or incomplete data, including recipients named by the individual;
 3.7 or (2) notify the individual that the authority believes the data to be correct. Data in
 3.8 dispute shall be disclosed only if the individual's statement of disagreement is included
 3.9 with the disclosed data.

3.10 The determination of the responsible authority may be appealed pursuant to the
 3.11 provisions of the Administrative Procedure Act relating to contested cases. Upon receipt
 3.12 of an appeal by an individual, the commissioner shall, before issuing the order and notice
 3.13 of a contested case hearing required by chapter 14, try to resolve the dispute through
 3.14 education, conference, conciliation, or persuasion. If the parties consent, the commissioner
 3.15 may refer the matter to mediation. Following these efforts, the commissioner shall dismiss
 3.16 the appeal or issue the order and notice of hearing.

3.17 (b) Data on individuals that have been successfully challenged by an individual must
 3.18 be completed, corrected, or destroyed by a ~~state agency, political subdivision, or statewide~~
 3.19 ~~system~~ government entity without regard to the requirements of section 138.17.

3.20 After completing, correcting, or destroying successfully challenged data, a
 3.21 government entity may retain a copy of the commissioner of administration's order issued
 3.22 under chapter 14 or, if no order were issued, a summary of the dispute between the parties
 3.23 that does not contain any particulars of the successfully challenged data.

3.24 Sec. 3. Minnesota Statutes 2006, section 13.05, subdivision 10, is amended to read:

3.25 Subd. 10. **International dissemination.** No ~~state agency or political subdivision~~
 3.26 government entity shall transfer or disseminate any private or confidential data on
 3.27 individuals to the private international organization known as Interpol, except through the
 3.28 Interpol-United States National Central Bureau, United States Department of Justice.

3.29 Sec. 4. Minnesota Statutes 2006, section 13.35, is amended to read:

3.30 **13.35 FEDERAL CONTRACTS DATA.**

3.31 To the extent that a federal agency requires it as a condition for contracting with
 3.32 a ~~state agency or political subdivision~~ government entity, all government data collected
 3.33 and maintained by the ~~state agency or political subdivision~~ government entity because

4.1 that agency contracts with the federal agency are classified as either private or nonpublic
4.2 depending on whether the data are data on individuals or data not on individuals.

4.3 Sec. 5. Minnesota Statutes 2006, section 13.355, subdivision 1, is amended to read:

4.4 Subdivision 1. **General.** The Social Security numbers of individuals collected or
4.5 maintained by a ~~state agency, statewide system, or political subdivision~~ government entity
4.6 are private data on individuals, except to the extent that access to the Social Security
4.7 number is specifically authorized by law.

4.8 Sec. 6. Minnesota Statutes 2006, section 13.384, subdivision 1, is amended to read:

4.9 Subdivision 1. **Definition.** As used in this section:

4.10 (a) "Directory information" means name of the patient, date admitted, and general
4.11 condition.

4.12 (b) "Medical data" means data collected because an individual was or is a patient
4.13 or client of a hospital, nursing home, medical center, clinic, health or nursing agency
4.14 operated by a ~~state agency or political subdivision~~ government entity including business
4.15 and financial records, data provided by private health care facilities, and data provided by
4.16 or about relatives of the individual.

4.17 Sec. 7. Minnesota Statutes 2006, section 13.384, subdivision 2, is amended to read:

4.18 Subd. 2. **Public hospitals; directory information.** (a) During the time that a person
4.19 is a patient in a hospital operated by a ~~state agency or political subdivision~~ government
4.20 entity under legal commitment, directory information is public data. After the person is
4.21 released by termination of the person's legal commitment, the directory information is
4.22 private data on individuals.

4.23 (b) If a person is a patient other than pursuant to commitment in a hospital controlled
4.24 by a ~~state agency or political subdivision~~ government entity, directory information is public
4.25 data unless the patient requests otherwise, in which case it is private data on individuals.

4.26 (c) Directory information about an emergency patient who is unable to communicate
4.27 which is public under this subdivision shall not be released until a reasonable effort is made
4.28 to notify the next of kin. Although an individual has requested that directory information
4.29 be private, the hospital may release directory information to a law enforcement agency
4.30 pursuant to a lawful investigation pertaining to that individual.

4.31 Sec. 8. Minnesota Statutes 2006, section 13.39, subdivision 1, is amended to read:

5.1 Subdivision 1. **Definitions.** A "pending civil legal action" includes but is not
 5.2 limited to judicial, administrative or arbitration proceedings. Whether a civil legal action
 5.3 is pending shall be determined by the chief attorney acting for the ~~state agency, political~~
 5.4 ~~subdivision or statewide system~~ government entity.

5.5 Sec. 9. Minnesota Statutes 2006, section 13.39, subdivision 2, is amended to read:

5.6 Subd. 2. **Civil actions.** (a) Except as provided in paragraph (b), data collected
 5.7 by state agencies, political subdivisions, or statewide systems as part of an active
 5.8 investigation undertaken for the purpose of the commencement or defense of a pending
 5.9 civil legal action, or which are retained in anticipation of a pending civil legal action, are
 5.10 classified as protected nonpublic data pursuant to section 13.02, subdivision 13, in the
 5.11 case of data not on individuals and confidential pursuant to section 13.02, subdivision
 5.12 3, in the case of data on individuals. Any agency, political subdivision, or statewide
 5.13 system may make any data classified as confidential or protected nonpublic pursuant to
 5.14 this subdivision accessible to any person, agency or the public if the agency, political
 5.15 subdivision, or statewide system determines that the access will aid the law enforcement
 5.16 process, promote public health or safety or dispel widespread rumor or unrest.

5.17 (b) A complainant has access to a statement provided by the complainant to a ~~state~~
 5.18 ~~agency, statewide system, or political subdivision~~ government entity under paragraph (a).

5.19 Sec. 10. Minnesota Statutes 2006, section 13.39, subdivision 3, is amended to read:

5.20 Subd. 3. **Inactive investigative data.** Inactive civil investigative data are public,
 5.21 unless the release of the data would jeopardize another pending civil legal action, and
 5.22 except for those portions of a civil investigative file that are classified as not public data by
 5.23 this chapter or other law. Any civil investigative data presented as evidence in court or
 5.24 made part of a court record shall be public. Civil investigative data become inactive upon
 5.25 the occurrence of any of the following events:

5.26 (1) a decision by the ~~state agency, political subdivision, or statewide system~~
 5.27 government entity or by the chief attorney acting for the ~~state agency, political subdivision,~~
 5.28 ~~or statewide system~~ government entity not to pursue the civil action;

5.29 (2) expiration of the time to file a complaint under the statute of limitations or
 5.30 agreement applicable to the civil action; or

5.31 (3) exhaustion of or expiration of rights of appeal by either party to the civil action.

5.32 Data determined to be inactive under clause (1) may become active if the ~~state~~
 5.33 ~~agency, political subdivision, statewide system~~ government entity, or its attorney decides
 5.34 to renew the civil action.

6.1 Sec. 11. Minnesota Statutes 2006, section 13.393, is amended to read:

6.2 **13.393 ATTORNEYS.**

6.3 Notwithstanding the provisions of this chapter and section 15.17, the use, collection,
 6.4 storage, and dissemination of data by an attorney acting in a professional capacity for ~~the~~
 6.5 ~~state, a state agency or a political subdivision~~ a government entity shall be governed by
 6.6 statutes, rules, and professional standards concerning discovery, production of documents,
 6.7 introduction of evidence, and professional responsibility; provided that this section shall
 6.8 not be construed to affect the applicability of any statute, other than this chapter and section
 6.9 15.17, which specifically requires or prohibits disclosure of specific information by the
 6.10 attorney, nor shall this section be construed to relieve any responsible authority, other than
 6.11 the attorney, from duties and responsibilities pursuant to this chapter and section 15.17.

6.12 Sec. 12. Minnesota Statutes 2006, section 13.40, subdivision 1, is amended to read:

6.13 Subdivision 1. **Records subject to this chapter.** (a) For purposes of this section,
 6.14 "historical records repository" means an archives or manuscript repository operated by
 6.15 ~~any state agency, statewide system, or political subdivision~~ a government entity whose
 6.16 purpose is to collect and maintain data to further the history of a geographic or subject
 6.17 area. The term does not include the state archives as defined in section 138.17, subdivision
 6.18 1, clause (5).

6.19 (b) Data collected, maintained, used, or disseminated by a library or historical
 6.20 records repository operated by ~~any state agency, political subdivision, or statewide system~~
 6.21 a government entity shall be administered in accordance with the provisions of this chapter.

6.22 Sec. 13. Minnesota Statutes 2006, section 13.40, subdivision 3, is amended to read:

6.23 Subd. 3. **Nongovernmental data.** Data held in the custody of a historical records
 6.24 repository that were not originally created, received, maintained, or disseminated by
 6.25 ~~a state agency, statewide system, or political subdivision~~ government entity are not
 6.26 government data. These data are accessible to the public unless:

6.27 (1) the data are contributed by private persons under an agreement that restricts
 6.28 access, to the extent of any lawful limitation; or

6.29 (2) access would significantly endanger the physical or organizational integrity of
 6.30 the data.

6.31 Sec. 14. Minnesota Statutes 2006, section 13.41, subdivision 3, is amended to read:

6.32 Subd. 3. **Board of Peace Officer Standards and Training.** The following
 6.33 government data of the Board of Peace Officer Standards and Training are private data:

- 7.1 (1) home addresses of licensees and applicants for licenses; and
7.2 (2) data that identify the ~~state agency, statewide system, or political subdivision~~
7.3 government entity that employs a licensed peace officer.

7.4 The board may disseminate private data on applicants and licensees as is necessary
7.5 to administer law enforcement licensure or to provide data under section 626.845,
7.6 subdivision 1, to law enforcement agencies who are conducting employment background
7.7 investigations.

7.8 Sec. 15. Minnesota Statutes 2006, section 13.43, subdivision 2, is amended to read:

7.9 Subd. 2. **Public data.** (a) Except for employees described in subdivision 5 and
7.10 subject to the limitations described in subdivision 5a, the following personnel data on
7.11 current and former employees, volunteers, and independent contractors of a government
7.12 entity is public:

7.13 (1) name; employee identification number, which must not be the employee's Social
7.14 Security number; actual gross salary; salary range; contract fees; actual gross pension; the
7.15 value and nature of employer paid fringe benefits; and the basis for and the amount of any
7.16 added remuneration, including expense reimbursement, in addition to salary;

7.17 (2) job title and bargaining unit; job description; education and training background;
7.18 and previous work experience;

7.19 (3) date of first and last employment;

7.20 (4) the existence and status of any complaints or charges against the employee,
7.21 regardless of whether the complaint or charge resulted in a disciplinary action;

7.22 (5) the final disposition of any disciplinary action together with the specific reasons
7.23 for the action and data documenting the basis of the action, excluding data that would
7.24 identify confidential sources who are employees of the public body;

7.25 (6) the terms of any agreement settling any dispute arising out of an employment
7.26 relationship, including a buyout agreement as defined in section 123B.143, subdivision 2,
7.27 paragraph (a); except that the agreement must include specific reasons for the agreement if
7.28 it involves the payment of more than \$10,000 of public money;

7.29 (7) work location; a work telephone number; badge number; and honors and awards
7.30 received; and

7.31 (8) payroll time sheets or other comparable data that are only used to account for
7.32 employee's work time for payroll purposes, except to the extent that release of time sheet
7.33 data would reveal the employee's reasons for the use of sick or other medical leave
7.34 or other not public data.

8.1 (b) For purposes of this subdivision, a final disposition occurs when the ~~state agency;~~
 8.2 ~~statewide system, or political subdivision~~ government entity makes its final decision about
 8.3 the disciplinary action, regardless of the possibility of any later proceedings or court
 8.4 proceedings. In the case of arbitration proceedings arising under collective bargaining
 8.5 agreements, a final disposition occurs at the conclusion of the arbitration proceedings,
 8.6 or upon the failure of the employee to elect arbitration within the time provided by the
 8.7 collective bargaining agreement. Final disposition includes a resignation by an individual
 8.8 when the resignation occurs after the final decision of the ~~state agency, statewide system,~~
 8.9 ~~political subdivision~~ government entity, or arbitrator.

8.10 (c) The ~~state agency, statewide system, or political subdivision~~ government entity
 8.11 may display a photograph of a current or former employee to a prospective witness as
 8.12 part of the ~~state agency's, statewide system's, or political subdivision's~~ government entity's
 8.13 investigation of any complaint or charge against the employee.

8.14 (d) A complainant has access to a statement provided by the complainant to a ~~state~~
 8.15 ~~agency, statewide system, or political subdivision~~ government entity in connection with a
 8.16 complaint or charge against an employee.

8.17 (e) Notwithstanding paragraph (a), clause (5), upon completion of an investigation
 8.18 of a complaint or charge against a public official, or if a public official resigns or is
 8.19 terminated from employment while the complaint or charge is pending, all data relating to
 8.20 the complaint or charge are public, unless access to the data would jeopardize an active
 8.21 investigation or reveal confidential sources. For purposes of this paragraph, "public
 8.22 official" means:

8.23 (1) the head of a state agency and deputy and assistant state agency heads;

8.24 (2) members of boards or commissions required by law to be appointed by the
 8.25 governor or other elective officers; and

8.26 (3) executive or administrative heads of departments, bureaus, divisions, or
 8.27 institutions.

8.28 Sec. 16. Minnesota Statutes 2006, section 13.43, subdivision 5, is amended to read:

8.29 Subd. 5. **Undercover law enforcement officer.** All personnel data maintained by
 8.30 ~~any state agency, statewide system or political subdivision~~ a government entity relating
 8.31 to an individual employed as or an applicant for employment as an undercover law
 8.32 enforcement officer are private data on individuals. When the individual is no longer
 8.33 assigned to an undercover position, the data described in subdivisions 2 and 3 become
 8.34 public unless the law enforcement agency determines that revealing the data would
 8.35 threaten the personal safety of the officer or jeopardize an active investigation.

9.1 Sec. 17. Minnesota Statutes 2006, section 13.43, subdivision 7, is amended to read:

9.2 Subd. 7. **Employee assistance data.** All data created, collected or maintained by
9.3 ~~any state agency or political subdivision~~ a government entity to administer employee
9.4 assistance programs similar to the one authorized by section 43A.319 are classified as
9.5 private, pursuant to section 13.02, subdivision 12. This section shall not be interpreted to
9.6 authorize the establishment of employee assistance programs.

9.7 Sec. 18. Minnesota Statutes 2006, section 13.43, subdivision 10, is amended to read:

9.8 Subd. 10. **Prohibition on agreements limiting disclosure or discussion of**
9.9 **personnel data.** (a) A ~~state agency, statewide system, or political subdivision~~ government
9.10 entity may not enter into an agreement settling a dispute arising out of the employment
9.11 relationship with the purpose or effect of limiting access to or disclosure of personnel
9.12 data or limiting the discussion of information or opinions related to personnel data.
9.13 An agreement or portion of an agreement that violates this paragraph is void and
9.14 unenforceable.

9.15 (b) Paragraph (a) applies to the following, but only to the extent that the data or
9.16 information could otherwise be made accessible to the public:

9.17 (1) an agreement not to discuss, publicize, or comment on personnel data or
9.18 information;

9.19 (2) an agreement that limits the ability of the subject of personnel data to release or
9.20 consent to the release of data; or

9.21 (3) any other provision of an agreement that has the effect of limiting the disclosure
9.22 or discussion of information that could otherwise be made accessible to the public, except
9.23 a provision that limits the ability of an employee to release or discuss private data that
9.24 identifies other employees.

9.25 (c) Paragraph (a) also applies to a court order that contains terms or conditions
9.26 prohibited by paragraph (a).

9.27 Sec. 19. Minnesota Statutes 2006, section 13.43, subdivision 11, is amended to read:

9.28 Subd. 11. **Protection of employee or others.** (a) If the responsible authority
9.29 or designee of a ~~state agency, statewide system, or political subdivision~~ government
9.30 entity reasonably determines that the release of personnel data is necessary to protect an
9.31 employee from harm to self or to protect another person who may be harmed by the
9.32 employee, data that are relevant to the concerns for safety may be released as provided
9.33 in this subdivision.

9.34 (b) The data may be released:

10.1 (1) to the person who may be harmed and to an attorney representing the person
 10.2 when the data are relevant to obtaining a restraining order;

10.3 (2) to a prepetition screening team conducting an investigation of the employee
 10.4 under section 253B.07, subdivision 1; or

10.5 (3) to a court, law enforcement agency, or prosecuting authority.

10.6 (c) Section 13.03, subdivision 4, paragraph (c), applies to data released under this
 10.7 subdivision, except to the extent that the data have a more restrictive classification in the
 10.8 possession of the agency or authority that receives the data. If the person who may be
 10.9 harmed or the person's attorney receives data under this subdivision, the data may be used
 10.10 or released further only to the extent necessary to protect the person from harm.

10.11 Sec. 20. Minnesota Statutes 2006, section 13.435, is amended to read:

10.12 **13.435 SALARY BENEFIT SURVEY DATA.**

10.13 Salary and personnel benefit survey data purchased from consulting firms, nonprofit
 10.14 corporations or associations or obtained from employers with the written understanding
 10.15 that the data shall not be made public which is maintained by ~~state agencies, political~~
 10.16 ~~subdivisions or statewide systems~~ government entities are classified as nonpublic pursuant
 10.17 to section 13.02, subdivision 9.

10.18 Sec. 21. Minnesota Statutes 2006, section 13.44, subdivision 1, is amended to read:

10.19 Subdivision 1. **Real property; complaint data.** The identities of individuals who
 10.20 register complaints with ~~state agencies or political subdivisions~~ government entities
 10.21 concerning violations of state laws or local ordinances concerning the use of real property
 10.22 are classified as confidential data, pursuant to section 13.02, subdivision 3.

10.23 Sec. 22. Minnesota Statutes 2006, section 13.44, subdivision 2, is amended to read:

10.24 Subd. 2. **Real property; building code violations.** Code violation records
 10.25 pertaining to a particular parcel of real property and the buildings, improvements, and
 10.26 dwelling units located on it that are kept by any state, county, or city agency charged
 10.27 by the governing body of the appropriate ~~political subdivision~~ government entity with
 10.28 the responsibility for enforcing a state, county, or city health, housing, building, fire
 10.29 prevention, or housing maintenance code are public data; except as otherwise provided by
 10.30 section 13.39, subdivision 2; 13.44; or 13.82, subdivision 7.

10.31 Sec. 23. Minnesota Statutes 2006, section 13.44, subdivision 3, is amended to read:

11.1 Subd. 3. **Real property; appraisal data.** (a) **Confidential or protected nonpublic**
 11.2 **data.** Estimated or appraised values of individual parcels of real property that are made by
 11.3 personnel of ~~the state or a political subdivision~~ a government entity or by independent
 11.4 appraisers acting for ~~the state or a political subdivision~~ a government entity for the
 11.5 purpose of selling or acquiring land through purchase or condemnation are classified as
 11.6 confidential data on individuals or protected nonpublic data.

11.7 (b) **Private or nonpublic data.** Appraised values of individual parcels of real
 11.8 property that are made by appraisers working for fee owners or contract purchasers who
 11.9 have received an offer to purchase their property from ~~the state or a political subdivision~~
 11.10 a government entity are classified as private data on individuals or nonpublic data.

11.11 (c) **Public data.** The data made confidential or protected nonpublic under paragraph
 11.12 (a) or made private or nonpublic under paragraph (b) become public upon the occurrence
 11.13 of any of the following:

11.14 (1) the data are submitted to a court-appointed condemnation commissioner;

11.15 (2) the data are presented in court in condemnation proceedings; or

11.16 (3) the negotiating parties enter into an agreement for the purchase and sale of the
 11.17 property.

11.18 Sec. 24. Minnesota Statutes 2006, section 13.462, subdivision 2, is amended to read:

11.19 Subd. 2. **Public data.** The names and addresses of applicants for and recipients of
 11.20 benefits, aid, or assistance through programs administered by ~~any political subdivision;~~
 11.21 ~~state agency, or statewide system~~ a government entity that are intended to assist with the
 11.22 purchase, rehabilitation, or other purposes related to housing or other real property are
 11.23 classified as public data on individuals. If an applicant or recipient is a corporation, the
 11.24 names and addresses of the officers of the corporation are public data on individuals. If
 11.25 an applicant or recipient is a partnership, the names and addresses of the partners are
 11.26 public data on individuals. The amount or value of benefits, aid, or assistance received
 11.27 is public data.

11.28 Sec. 25. Minnesota Statutes 2006, section 13.462, subdivision 3, is amended to read:

11.29 Subd. 3. **Private data.** Unless otherwise provided by law, all other benefit data are
 11.30 private data on individuals, and shall not be disclosed except pursuant to court order or to
 11.31 an agent of the ~~state agency, political subdivision, or statewide system~~ government entity,
 11.32 including appropriate law enforcement personnel, who are acting in an investigation or
 11.33 prosecution of a criminal or civil proceeding relating to the administration of a program
 11.34 described in subdivision 1.

12.1 Sec. 26. Minnesota Statutes 2006, section 13.48, is amended to read:

12.2 **13.48 AWARD DATA.**

12.3 Financial data on business entities submitted to a ~~state agency, statewide system, or~~
12.4 ~~political subdivision~~ government entity for the purpose of presenting awards to business
12.5 entities for achievements in business development or performance are private data on
12.6 individuals or nonpublic data.

12.7 Sec. 27. Minnesota Statutes 2006, section 13.552, subdivision 3, is amended to read:

12.8 Subd. 3. **Data provided under subpoena.** Data supplied by a ~~state agency,~~
12.9 ~~statewide system, or political subdivision~~ government entity pursuant to a subpoena issued
12.10 by the commissioner of human rights is governed by section 363A.06, subdivision 2.

12.11 Sec. 28. Minnesota Statutes 2006, section 13.861, subdivision 1, is amended to read:

12.12 Subdivision 1. **Definitions.** As used in this section:

12.13 (a) "Security service" means an organization that provides security services to a ~~state~~
12.14 ~~agency or political subdivision~~ government entity as a part of the governmental entity or
12.15 under contract to it. Security service does not include a law enforcement agency.

12.16 (b) "Security service data" means all data collected, created, or maintained by a
12.17 security service for the purpose of providing security services.

12.18 Sec. 29. Minnesota Statutes 2006, section 13.87, subdivision 2, is amended to read:

12.19 Subd. 2. **Firearms data.** All data pertaining to the purchase or transfer of firearms
12.20 and applications for permits to carry firearms which are collected by ~~state agencies,~~
12.21 ~~political subdivisions or statewide systems~~ government entities pursuant to sections
12.22 624.712 to 624.719 are classified as private, pursuant to section 13.02, subdivision 12.