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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **2374**

March 27, 2007

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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; modifying provisions governing classification of
1.3 public pension plan data; amending Minnesota Statutes 2006, section 13.63,
1.4 subdivisions 1, 2, 3, by adding a subdivision; repealing Minnesota Statutes 2006,
1.5 sections 13.43, subdivision 2a; 13.632.

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

1.7 Section 1. Minnesota Statutes 2006, section 13.63, subdivision 1, is amended to read:

1.8 Subdivision 1. ~~Minneapolis Employees Retirement Fund data~~ Definitions. (a)
1.9 ~~Beneficiary and survivor data.~~ The following data on beneficiaries and survivors of
1.10 Minneapolis Employees Retirement Fund members are private data on individuals: home
1.11 address, date of birth, direct deposit account number, and tax withholding data:

1.12 (b) ~~Limits on disclosure.~~ Required disclosure of data about members, survivors,
1.13 and beneficiaries is limited to name, gross pension, and type of benefit awarded:

1.14 For purposes of this section, the following terms have the meanings given them.

1.15 (a) "Individual" means an active, retired, deferred, or nonvested inactive participant
1.16 in a retirement plan or a beneficiary of a participant, or an individual who has applied to
1.17 be a participant or is or may be a survivor of a participant.

1.18 (b) "Medical adviser" means a licensed physician under a contract with a retirement
1.19 plan or a licensed physician at the Department of Health designated by the commissioner
1.20 of health to act as medical adviser.

1.21 (c) "Retirement plan" means the plans listed in section 356.30, subdivision 3.

1.22 Sec. 2. Minnesota Statutes 2006, section 13.63, subdivision 2, is amended to read:

2.1 Subd. 2. ~~Teachers Retirement Association~~ Beneficiary or survivor data. The
 2.2 following Data on beneficiaries and survivors of ~~Teachers Retirement Association~~
 2.3 retirement plan members are ~~considered~~ private data on individuals:

- 2.4 (1) ~~address;~~
- 2.5 (2) ~~birth date;~~
- 2.6 (3) ~~direct deposit account number; and~~
- 2.7 (4) ~~tax withholding data,~~ except for the name of the beneficiary or survivor; gross
 2.8 benefit amount; and type of benefit awarded.

2.9 Sec. 3. Minnesota Statutes 2006, section 13.63, subdivision 3, is amended to read:

2.10 Subd. 3. ~~Public Employees Retirement Association~~ Pension plan appeal data.
 2.11 The following data on an individual ~~beneficiaries and survivors of Public Employment~~
 2.12 ~~Retirement Association~~ members are classified as private: ~~home address, date of birth,~~
 2.13 ~~direct deposit account number, and tax withholding data~~ using the pension plan appeal
 2.14 process is private data on individuals:

- 2.15 (1) medical data or records governed by section 13.384 or 144.335; or
- 2.16 (2) substance abuse data classified by Code of Federal Regulations, title 42, part 2.

2.17 Sec. 4. Minnesota Statutes 2006, section 13.63, is amended by adding a subdivision to
 2.18 read:

2.19 Subd. 4. Data sharing with medical adviser. Data governed by subdivision 3 may
 2.20 be shared with a medical adviser for the purpose of determining eligibility for benefits.

2.21 Sec. 5. REPEALER.

2.22 Minnesota Statutes 2006, sections 13.43, subdivision 2a; and 13.632, are repealed.