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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 2381

May 11, 2009
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The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight

1.1   A bill for an act
1.2   relating to public safety; requiring retention of gang affiliation data; amending
1.3   Minnesota Statutes 2008, section 299C.091, subdivision 5.

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

1.5   Section 1. Minnesota Statutes 2008, section 299C.091, subdivision 5, is amended to

1.6   read:

1.7   Subd. 5. **Removal of data from system.** Notwithstanding section 138.17, the

1.8   bureau shall destroy data entered into the system when three years have elapsed since the

1.9   data were entered into the system, except as otherwise provided in this subdivision. If

1.10   the bureau has information that the individual has ~~been convicted as an adult, or has~~

1.11   ~~been adjudicated or has a stayed adjudication as a juvenile for an offense that would~~

1.12   ~~be a crime if committed by an adult,~~ met one or more of the criteria under section

1.13   299A.641, subdivision 3, clause (7), since entry of the data into the system, the data

1.14   must be maintained until three years have elapsed since the last record of ~~a conviction~~

1.15   ~~or adjudication or stayed adjudication of~~ the individual having met one or more of the

1.16   criteria. Upon request of the law enforcement agency that submitted data to the system,

1.17   the bureau shall destroy the data regardless of whether three years have elapsed since the

1.18   data were entered into the system.

Section 1.   1