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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 916

02/10/2021 Authored by Xiong, T., The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law

1.1 A bill for an act
1.2 relating to corrections; modifying data privacy provisions for data maintained by
1.3 ombudsperson for corrections; amending Minnesota Statutes 2020, section 13.856,
1.4 subdivisions 1, 4; repealing Minnesota Statutes 2020, section 13.856, subdivision
1.5 3.

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

1.7 Section 1. Minnesota Statutes 2020, section 13.856, subdivision 1, is amended to read:

1.8 Subdivision 1. Private data. The following data maintained by the ombudsperson for
1.9 corrections are classified as private data, pursuant to section 13.02, subdivision 12:

1.10 (1) all data on individuals pertaining to ~~contacts made by clients seeking the assistance~~
1.11 of the complaints received by the ombudsperson, except as specified in ~~subdivisions 2 and~~
1.12 3 subdivision 2; and

1.13 (2) data recorded from personal and phone conversations and in correspondence between
1.14 the ombudsperson's staff and complainants or persons interviewed during the course of an
1.15 investigation;

1.16 ~~(3) client index cards;~~

1.17 ~~(4) case assignment data; and~~

1.18 ~~(5) monthly closeout data.~~

1.19 Sec. 2. Minnesota Statutes 2020, section 13.856, subdivision 4, is amended to read:

1.20 Subd. 4. Access to and sharing of data. (a) The ombudsperson for corrections has
1.21 access to corrections and detention data and medical data as provided under section 241.94.

2.1 (b) The ombudsperson may share data classified as private by this section with an agency
2.2 to the extent deemed necessary to carry out the ombudsperson's powers and duties under
2.3 sections 241.90 to 241.95; or when information leads to the reasonable belief that immediate
2.4 danger of death, substantial bodily harm, or serious risk of harm exists for any person.

2.5 Sec. 3. **REPEALER.**

2.6 Minnesota Statutes 2020, section 13.856, subdivision 3, is repealed.

13.856 OMBUDSPERSON FOR CORRECTIONS; DATA.

Subd. 3. **Public data.** The following data maintained by the ombudsperson are classified as public data pursuant to section 13.02, subdivision 15:

- (1) client name;
- (2) client location; and
- (3) the inmate identification number assigned by the Department of Corrections.