

A bill for an act relating to public safety; classifying traveling law enforcement data under the Data Practices Act; proposing coding for new law in Minnesota Statutes, chapter 13.

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

**Section 1. 13.824 TRAVELING LAW ENFORCEMENT DATA**

Subdivision 1. **Definition.** (a) "Traveling law enforcement data" is data that has been transferred to a government entity within Minnesota that was originally created, collected or maintained by a state, county, or local law enforcement agency outside of Minnesota. Traveling law enforcement data does not include data originally created or collected by a Minnesota government entity.

Subd. 2. **Classification.** (a) Traveling law enforcement data that was classified by statute or rule as the equivalent of "public" data in the state in which it originated, at the time it was transferred to a government entity in Minnesota, is classified as public data.

(b) Traveling law enforcement data that was classified by statute or rule as the equivalent of "not public" data in the state in which it originated, at the time it was transferred to a government entity in Minnesota, is classified as "confidential" or "protected nonpublic" data for a period of one year from the date of its transfer to a Minnesota government entity. After one year, such data shall become public data unless it has become "criminal investigative data" before that time.

Subd. 3. **Record of data.** A government entity that receives traveling law enforcement data shall keep a record of such data that shall include the date of receipt, a description of the data, the equivalent classification status of the data at the time it was received, and information regarding the disposition of the data as of one year from the date of its receipt.

Subd. 4. **Audits.** At least once every biennium, the Legislative Auditor shall conduct audits of traveling law enforcement data for compliance with this section. The Legislative Auditor shall conduct audits and prepare reports in a manner that protects the confidentiality and sensitivity of data that holds a "not public" classification at the time of the audit. By at least October 1 of each biennium, the Legislative Auditor shall submit a public report of the results of the audit to the Legislature. The reports shall contain, at minimum, information regarding whether traveling law enforcement data received during the biennium and subsequently classified as "criminal investigative data" has been properly classified under the provisions of this chapter.

**EFFECTIVE DATE.** This section is effective (INSERT).