

# Minnesota State Legislature

## Minnesota Senate

SY 1770

as introduced - 89th Legislature (2013 - 2014); Posted on 02/26/2014 08:59am

KEY: ~~stricken~~ = removed, old language. underscored = added, new language.

[Version List](#)

[Authors and Status](#)

### Current Version - as introduced

- 1.1 A bill for an act
- 1.2 relating to data practices; clarifying application of government data practices act
- 1.3 to parties contracting with a government entity; amending Minnesota Statutes
- 1.4 2012, section 13.05, subdivision 11.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2012, section 13.05, subdivision 11, is amended to read:
- 1.7 Subd. 11. **Privatization.** (a) ~~If a government entity enters into a contract with a~~
- 1.8 ~~private person to perform any of its functions, the government entity shall include in the~~
- 1.9 ~~contract terms that make it clear that all of the~~ All ~~data created, collected, received, stored,~~
- 1.10 ~~used, maintained, or disseminated by the private person in performing those functions~~
- 1.11 any party in performing a contract entered into with a government entity is subject to the
- 1.12 requirements of this chapter, and that the private person the contracting party must comply
- 1.13 with those requirements as if it were a government entity. All contracts entered into by
- 1.14 a government entity must include a notice making it clear that the requirements of this
- 1.15 subdivision apply to the contract, provided that failure to include the notice does not
- 1.16 invalidate the application of this subdivision. The remedies in section 13.08 apply to ~~the~~
- 1.17 ~~private person under a contracting party subject to~~ this subdivision.
- 1.18 (b) This subdivision does not create a duty on the part of ~~the private person a~~
- 1.19 contracting party to provide access to public data to the public if the public data are
- 1.20 available from the government entity, except as required by the terms of the contract.