

FIRST AMENDMENT

M _____ moves to amend S.F. 498 as follows:

Section 1. Minnesota Statutes 2014, section 13.82, subdivision 7 is amended as follows:

Subd. 7. CRIMINAL INVESTIGATIVE DATA. Except for data defined in subdivisions 2, 3, and 6, investigative data -----

... protected under subdivision 17. Photographs and any other recorded images which are part of inactive investigative files and which are clearly offensive to common sensibilities or would reveal a medical condition are classified as private or nonpublic data, provided (TO END OF SUBDIVISION.)

SECOND AMENDMENTS

M. _____ moves to amend S.F. 498 as follows:

On line 1.8 renumber Section 1 to read Section 2. Delete lines 1,13 through 1.19 and Insert in lieu thereof:

(b) Portable video recording system data are subject to this section and other applicable statutory provisions.

On line 2.8, delete "90" and insert "180" and delete the last "the" and insert "any".

On line 2.11, after "collected", insert the following:

Twenty days before it intends to destroy the data, the law enforcement agency shall notify all subjects of the data of its intent to destroy they data and inform the

subjects how they may submit a request to retain the data.

On line 2.13, after "retention.", insert the following:

Data that any subject has requested be retained under this provision must be retained for a minimum of 180 days and the law enforcement agency's retention schedule must reflect that requirement.

On line 2.13, after the new language above is inserted, delete "Peace officers" and insert in lieu thereof "Individuals".

After line 2.15, insert the following and re-letter the paragraphs accordingly:

(e) A property owner or other person who can consent to searches of a place may consent to the use of video recording systems in that place. If consent is not given and exigent circumstances do not exist, video recording systems must not be used in private dwellings, hospitals and other medical facilities, and other places in which individuals have a reasonable expectation of privacy.

After line 2.22, insert the following:

(h) Portable video recording system data that would clearly identify items of valuable property or the operation of security systems in a dwelling or other place are security information under Section 13.37.

ADDITIONAL SUGGESTED AMENDMENTS TO S.F. 498

Amendment 1

M _____ moves to amend S.F. 498 as follows.

One page 2, after line 2.22, insert the following:

(i.) For purposes of this Chapter, a vendor of portable video recording systems means any private person that provides creation, collection, retention, maintenance, processing or dissemination of portable video recording system data. By providing any of these services to a government entity, a vendor is subject to all of the requirements of this Chapter including but not limited to Sections 13.03, 13.04 and 13.08.

A vendor that violates Sections 13.03 and 13.04 shall be subject to presumptive damages of \$1000 to \$5000 and an assessment of costs and attorney fees. This presumption may be overcome if the vendor proves with clear and convincing evidence that no violation occurred.

A vendor that improperly discloses data made not public by this Chapter or any other statute classifying data as not public shall be subject to presumptive damages of \$5000 to \$25, 000 and an assessment of costs and attorney fees. This presumption may be overcome if the vendor proves with clear and convincing evidence that no violation occurred.

Amendment 2

M _____ moves to amend S.F. 498 as follows:

After the word "effective" on line 2.25 and before the period add the following:

but only if the notice requirements of this section are met