

1.1 A bill for an act  
1.2 relating to data practices; providing classification of certain law enforcement data;  
1.3 amending Minnesota Statutes 2016, section 13.82, subdivisions 3, 6.

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

1.5 Section 1. Minnesota Statutes 2016, section 13.82, subdivision 3, is amended to read:

1.6 Subd. 3. **Request for service data.** (a) The following data created or collected by law  
1.7 enforcement agencies which document requests by the public for law enforcement services  
1.8 shall be public government data:

1.9 ~~(a)~~ (1) the nature of the request or the activity complained of;

1.10 ~~(b)~~ (2) the name and address of the individual making the request unless the identity of  
1.11 the individual qualifies for protection under subdivision 17;

1.12 ~~(c)~~ (3) the time and date of the request or complaint; and

1.13 ~~(d)~~ (4) the response initiated and the response or incident report number.

1.14 (b) The following data on an individual created or collected by law enforcement agencies  
1.15 which document requests by the public for law enforcement services are private data on  
1.16 individuals:

1.17 (1) telephone number;

1.18 (2) e-mail address or other digital address; and

1.19 (3) date of birth.

2.1 Sec. 2. Minnesota Statutes 2016, section 13.82, subdivision 6, is amended to read:

2.2 Subd. 6. **Response or incident data.** (a) The following data created or collected by law  
 2.3 enforcement agencies which document the agency's response to a request for service  
 2.4 including, but not limited to, responses to traffic accidents, or which describe actions taken  
 2.5 by the agency on its own initiative shall be public government data:

2.6 ~~(a)~~ (1) date, time and place of the action;

2.7 ~~(b)~~ (2) agencies, units of agencies and individual agency personnel participating in the  
 2.8 action unless the identities of agency personnel qualify for protection under subdivision 17;

2.9 ~~(c)~~ (3) any resistance encountered by the agency;

2.10 ~~(d)~~ (4) any pursuit engaged in by the agency;

2.11 ~~(e)~~ (5) whether any weapons were used by the agency or other individuals;

2.12 ~~(f)~~ (6) a brief factual reconstruction of events associated with the action;

2.13 ~~(g)~~ (7) names and addresses of witnesses to the agency action or the incident unless the  
 2.14 identity of any witness qualifies for protection under subdivision 17;

2.15 ~~(h)~~ (8) names and addresses of any victims or casualties unless the identities of those  
 2.16 individuals qualify for protection under subdivision 17;

2.17 ~~(i)~~ (9) the name and location of the health care facility to which victims or casualties  
 2.18 were taken;

2.19 ~~(j)~~ (10) response or incident report number;

2.20 ~~(k)~~ (11) dates of birth of the parties involved in a traffic accident;

2.21 ~~(l)~~ (12) whether the parties involved were wearing seat belts;

2.22 ~~(m)~~ (13) the alcohol concentration of each driver; and

2.23 ~~(n)~~ (14) whether the agency used a portable recording system to document the agency's  
 2.24 response or actions.

2.25 (b) The following data on an individual created or collected by law enforcement agencies  
 2.26 which document the agency's response to a request for service including, but not limited  
 2.27 to, responses to traffic accidents, or which describe actions taken by the agency on its own  
 2.28 initiative, are private data on individuals:

2.29 (1) telephone number;

2.30 (2) e-mail address or other digital address; and

3.1 (3) date of birth.