

division 9, 11, 13, or 17, and nonpublic schools complying with sections 120A.22, 120A.24, and 120A.41; private colleges; public corporations; and political subdivisions of the state. Plans shall be available to carry out the commissioner of administration's duties under sections 16B.46 and 16B.465 and shall also be available to those entities not using the commissioner for contracting for telecommunications services.

Subd. 3. **RATES.** Notwithstanding section 237.09, 237.14, 237.60, subdivision 3, or 237.74, a telephone company or a telecommunications carrier may, individually or in cooperation with other telephone companies or telecommunications carriers, develop and offer basic or advanced telecommunications services at discounted or reduced rates as a state government telecommunications pricing plan. Any telecommunications services provided under any state government telecommunications pricing plan shall be used exclusively by those entities described in subdivision 2 subject to the plan solely for their own use and shall not be made available to any other entities by resale, sublease, or in any other way.

Subd. 4. **APPLICABILITY TO OTHER CUSTOMERS.** A telephone company or telecommunications carrier providing telecommunications services under a state government telecommunications pricing plan is not required to provide any other person or entity those services at the rates made available to the state.

Subd. 5. **COMMISSION REVIEW.** The terms and conditions of any state government telecommunications pricing plan must be submitted to the commission for its review and approval within 90 days before implementation to:

- (1) ensure that the terms and conditions benefit the state and not any private entity;
- (2) ensure that the rates for any telecommunications service in any state government telecommunications pricing plan are at or below any applicable tariffed rates; and
- (3) ensure that the state telecommunications pricing plan meets the requirements of this section and is in the public interest.

The commission shall reject any state government telecommunications pricing plan that does not meet these criteria.

Sec. 2. Laws 1997, chapter 123, section 11, is amended to read:

Sec. 11. **REPEALER.**

Section 4, subdivision 5, paragraph (b), is repealed, effective June 30, 1999.

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor May 21, 1999

Signed by the governor May 25, 1999, 11:26 a.m.

## CHAPTER 229—H.F.No. 1195

*An act relating to landlords and tenants; providing for certain eviction records to be sealed; modifying requirements for tenant screening reports in the second and fourth judicial districts;*

New language is indicated by underline, deletions by ~~strikeout~~.

*amending Minnesota Statutes 1998, section 504.30, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 484.*

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

**Section 1. [484.014] HOUSING RECORDS; EXPUNGEMENT OF EVICTION INFORMATION.**

Subdivision 1. DEFINITIONS. For the purpose of this section, the following terms have the meanings given:

(1) "expungement" means the removal of evidence of the court file's existence from the publicly accessible records;

(2) "eviction case" means an action brought under sections 566.01 to 566.17; and

(3) "court file" means the court file created when an eviction case is filed with the court.

Subd. 2. DISCRETIONARY EXPUNGEMENT. The court may order expungement of an eviction case court file only upon motion of a defendant and decision by the court, if the court finds that the plaintiff's case is sufficiently without basis in fact or law, which may include lack of jurisdiction over the case, that expungement is clearly in the interests of justice and those interests are not outweighed by the public's interest in knowing about the record.

Sec. 2. Minnesota Statutes 1998, section 504.30, subdivision 4, is amended to read:

Subd. 4. COURT FILE INFORMATION. (a) If a tenant screening service includes information from a court file on an individual in a tenant report, the report must provide the full name and date of birth of the individual in any case where the court file includes the individual's full name and date of birth, and the outcome of the court proceeding must be accurately recorded in the tenant report including the specific basis of the court's decision, when available. If a tenant screening service knows that a court file has been expunged, the tenant screening service shall delete any reference to that file in any data maintained or disseminated by the screening service. Whenever the court supplies information from a court file on an individual, in whatever form, the court shall include the full name and date of birth of the individual, if that is indicated on the court file or summary and information on the outcome of the court proceeding, including the specific basis of the court's decision, coded as provided in subdivision 4a for the type of action, when it becomes available. The tenant screening service is not liable under section 504.31 if the tenant screening service reports complete and accurate information as provided by the court.

~~(b) A tenant screening service shall not provide tenant reports containing information on unlawful detainer actions in the second and fourth judicial districts, unless the tenant report accurately records the outcome of the proceeding or other disposition of the unlawful detainer action such as settlement, entry of a judgment, default, or dismissal of the action.~~

**Sec. 3. EFFECTIVE DATE.**

Sections 1 and 2 are effective on the day following final enactment.

Presented to the governor May 21, 1999

Signed by the governor May 25, 1999, 11:41 a.m.

New language is indicated by underline, deletions by ~~strikeout~~.