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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3012

02/03/2022 Authored by Munson, Bahr, Drazkowski and Miller
The bill was read for the first time and referred to the Committee on State Government Finance and Elections

1.1 A bill for an act
1.2 relating to state government; prohibiting the use of certain types of electronic
1.3 applications, software, or other technologies that limit a state agency's ability to
1.4 maintain and preserve state records; amending Minnesota Statutes 2020, sections
1.5 16E.05, subdivision 4; 138.17, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2020, section 16E.05, subdivision 4, is amended to read:

1.8 Subd. 4. Standards for transparency. The chief information officer, in consultation
1.9 with the Information Policy Analysis Division of the Department of Administration, shall
1.10 develop standards to enhance public access to electronic data maintained by state government,
1.11 consistent with the requirements of chapter 13. The standards must ensure that:

1.12 (1) the state information architecture facilitates public access to agency data;

1.13 (2) publicly available data is managed using an approved state metadata model; and

1.14 (3) all geospatial data conform to an approved state geocode model; and

1.15 (4) applications, software, or other technologies used by an agency allow for the
1.16 maintenance and preservation of state records, consistent with section 138.17, subdivision
1.17 7a.

1.18 Sec. 2. Minnesota Statutes 2020, section 138.17, is amended by adding a subdivision to
1.19 read:

1.20 Subd. 7a. Certain technologies prohibited. In conducting or transacting any public
1.21 business where a state record is created on an electronic device, a state agency must not use
1.22 any application, software, or other technology that prevents the agency from maintaining

- 2.1 or preserving the state record as required by this chapter. This prohibition includes but is
- 2.2 not limited to the use of an encrypted messaging system that automatically purges or deletes
- 2.3 messages, photographs, or other records from an electronic device.