

Subject Government Data Practices: appeals regarding the accuracy and completeness of data

Authors Klevorn and others

Analyst Nathan Hopkins

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Summary

The Government Data Practices Act (“GDPA”) (Minn. Stat. ch. 13) allows individuals to challenge the accuracy or completeness of data that a government entity has about them. This initial challenge goes to the main GDPA compliance official within that government entity, i.e. “the responsible authority.”

If the individual disagrees with the determination of the responsible authority, this can be appealed to the commissioner of administration and may be resolved informally or heard by an administrative law judge within the Office of Administrative Hearings under the contested case procedures of the Administrative Procedures Act. *See* Minn. Stat. §§ 14.57-14.62.

To facilitate the appeal and hearing processes, this bill authorizes the responsible authority to transmit to the commissioner the private data at issue in the appeal and allows the commissioner to disclose that private data to the Office of Administrative Hearings.

Sometimes, appeals result in the responsible authority having to complete, correct, or destroy data on the appealing individual. This bill classifies as private any of that data the commissioner continues to maintain for record-keeping purposes.