

1.1 ..... moves to amend H.F. No. 2232 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2010, section 171.07, subdivision 1a, is amended to  
1.4 read:

1.5 Subd. 1a. **Filing photograph or image; data classification.** The department shall  
1.6 file, or contract to file, all photographs or electronically produced images obtained in the  
1.7 process of issuing drivers' licenses or Minnesota identification cards. The department shall  
1.8 permanently retain all photographs or electronically produced images collected and filed  
1.9 pursuant to this section. The photographs or electronically produced images shall be  
1.10 private data pursuant to section 13.02, subdivision 12. Notwithstanding section 13.04,  
1.11 subdivision 3, the department shall not be required to provide copies of photographs or  
1.12 electronically produced images to data subjects. The use of the files is restricted:

- 1.13 (1) to the issuance and control of drivers' licenses;
- 1.14 (2) to criminal justice agencies, as defined in section 299C.46, subdivision 2, for the  
1.15 investigation and prosecution of crimes, service of process, enforcement of no contact  
1.16 orders, location of missing persons, investigation and preparation of cases for criminal,  
1.17 juvenile, and traffic court, and supervision of offenders;
- 1.18 (3) to public defenders, as defined in section 611.272, for the investigation and  
1.19 preparation of cases for criminal, juvenile, and traffic courts; ~~and~~
- 1.20 (4) to child support enforcement purposes under section 256.978; and
- 1.21 (5) to publicly funded assistance program eligibility under chapters 119B, 256B,  
1.22 256D, 256J, 256I, 256L or the supplemental nutrition assistance program, and fraud  
1.23 investigative purposes under sections 256.98, 256.983, 256B.064, and 256J.32.

1.24 Sec. 2. Minnesota Statutes 2010, section 256.01, is amended by adding a subdivision  
1.25 to read:

2.1           Subd. 18c. **Verification of legal presence.** The commissioner of public safety  
2.2 shall, upon request of the commissioner, provide the dates of a person's established legal  
2.3 presence as provided to the commissioner of public safety, to the commissioner of human  
2.4 services. The commissioner of human services must determine whether the data newly  
2.5 indicates that the established legal presence has expired for any individuals who receive  
2.6 publicly funded assistance under chapters 119B, 256B, 256D, 256J, 256I, 256L, or the  
2.7 supplemental nutrition assistance program. The commissioner shall terminate publicly  
2.8 funded assistance to persons whose established legal presence has expired and who are not  
2.9 otherwise eligible to receive publicly funded assistance under chapters 119B, 256B, 256D,  
2.10 256J, 256I, 256L, or the supplemental nutrition assistance program. The commissioner  
2.11 shall notify the county attorney when it confirms that a person whose established legal  
2.12 presence has expired was receiving publicly funded assistance under chapters 119B, 256B,  
2.13 256D, 256I, 256J, 256L, or the supplemental nutrition program.

2.14           Sec. 3. Minnesota Statutes 2010, section 256.01, is amended by adding a subdivision  
2.15 to read:

2.16           Subd. 18d. **Drug convictions.** (a) The state court administrator shall report  
2.17 regularly by electronic means to the commissioner of human services the name, address,  
2.18 date of birth, and, if available, driver's license or state identification card number, date of  
2.19 sentence, effective date of the sentence, and county in which the conviction occurred of  
2.20 each person who has been convicted of a felony under chapter 152.

2.21           (b) The commissioner shall determine at the time of initial application, recertification,  
2.22 and at any other time the commissioner is made aware of any felony drug conviction if  
2.23 any of the persons in the report is applying for or receiving publicly funded assistance in  
2.24 violation of sections 256D.024, 256J.26, or any other law or rule. If a person is determined  
2.25 to have violated sections 256D.024, 256J.26, or any other law or rule, the commissioner  
2.26 shall terminate the person's publicly funded assistance and notify the county attorney.

2.27           Sec. 4. Minnesota Statutes 2010, section 256J.32, subdivision 4, is amended to read:

2.28           Subd. 4. **Factors to be verified.** The county agency shall verify the following  
2.29 at application:

- 2.30           (1) identity of adults;
- 2.31           (2) presence of the minor child in the home, if questionable;
- 2.32           (3) relationship of a minor child to caregivers in the assistance unit;
- 2.33           (4) age, if necessary to determine MFIP eligibility;
- 2.34           (5) immigration status;

- 3.1 (6) Social Security number according to the requirements of section 256J.30,  
 3.2 subdivision 12;
- 3.3 (7) income;
- 3.4 (8) self-employment expenses used as a deduction;
- 3.5 (9) source and purpose of deposits and withdrawals from business accounts;
- 3.6 (10) spousal support and child support payments made to persons outside the  
 3.7 household;
- 3.8 (11) real property;
- 3.9 (12) vehicles;
- 3.10 (13) checking and savings accounts;
- 3.11 (14) savings certificates, savings bonds, stocks, and individual retirement accounts;
- 3.12 (15) pregnancy, if related to eligibility;
- 3.13 (16) inconsistent information, if related to eligibility;
- 3.14 (17) burial accounts;
- 3.15 (18) school attendance, if related to eligibility;
- 3.16 (19) residence;
- 3.17 (20) a claim of family violence if used as a basis to qualify for the family violence  
 3.18 waiver;
- 3.19 (21) disability if used as the basis for reducing the hourly participation requirements  
 3.20 under section 256J.55, subdivision 1, or the type of activity included in an employment  
 3.21 plan under section 256J.521, subdivision 2; ~~and~~
- 3.22 (22) information needed to establish an exception under section 256J.24, subdivision  
 3.23 9; and
- 3.24 (23) the validity and status of Minnesota drivers' licenses or identification cards,  
 3.25 if provided as documentation of identity.

3.26 **Sec. 5. AGREEMENT FOR DATA SHARING BETWEEN THE DEPARTMENT**  
 3.27 **OF PUBLIC SAFETY AND THE DEPARTMENT OF HUMAN SERVICES OF**  
 3.28 **FACIAL RECOGNITION VERIFICATION PROJECT DIGITAL IMAGES.**

3.29 The commissioner of public safety shall enter into an agreement with the  
 3.30 commissioner of human services to provide digital images of suspected fraudulent  
 3.31 driver's license or identification card applicants and the status of the applicant's driver's  
 3.32 license or identification after review by the commissioner of public safety from the  
 3.33 Facial Recognition Verification Project of the Division of Driver and Vehicle Services  
 3.34 for purposes of investigating fraud under Minnesota Statutes, sections 256.98, 256.983,  
 3.35 and 256B.064. The commissioner of public safety shall provide the data for use only by

4.1 those employees with investigative responsibility under sections 256.98, 256.983, and  
4.2 256B.064. The agreement must be certified annually and the use of data is subject to audit  
4.3 by the commissioner of public safety. An audit that results in confirmed misuse of data  
4.4 that is provided by the commissioner of public safety under this section by an employee  
4.5 or agent of the Department of Human Services is cause for the commissioner of public  
4.6 safety to terminate the agreement.

4.7       Sec. 6. **AGREEMENT FOR DATA SHARING BETWEEN THE DEPARTMENT**  
4.8 **OF PUBLIC SAFETY AND THE DEPARTMENT OF HUMAN SERVICES FOR**  
4.9 **DRIVER'S LICENSE AND IDENTIFICATION CARD DATA.**

4.10       The commissioner of public safety shall enter into an agreement with the  
4.11 commissioner of human services to provide driver's license and identification card data  
4.12 under Minnesota Statutes, section 171.06, for purposes of investigating fraud under  
4.13 Minnesota Statutes, sections 256.98, 256.983, and 256B.064. The commissioner of  
4.14 public safety shall provide data to the commissioner of human services for use only by  
4.15 those employees with investigative responsibility under sections 256.98, 256.983, and  
4.16 256B.064. The agreement must be certified annually and the use of data is subject to audit  
4.17 by the commissioner of public safety. An audit that results in confirmed misuse of data  
4.18 that is provided by the commissioner of public safety under this section by an employee  
4.19 or agent of the Department of Human Services is cause for the commissioner of public  
4.20 safety to terminate the agreement.

4.21       Sec. 7. **DIRECTION TO THE COMMISSIONER.**

4.22       The commissioner of human services, in consultation with the commissioner of  
4.23 public safety, shall report to the legislative committees with jurisdiction over health and  
4.24 human services policy and finance regarding the implementation of sections 1 to 7 and the  
4.25 number of persons affected and fiscal impact by program by February 1, 2013."

4.26       Amend the title accordingly