1.1   .... moves to amend H.F. No. 55, the first engrossment, as follows:

1.2   Page 1, after line 7, insert:

1.3   "Sec. .... Minnesota Statutes 2022, section 299A.85, subdivision 8, is amended to read:

1.4   Subd. 8. **Access to data.** (a) Subject to paragraph (b), and notwithstanding section 13.384

1.5   or 13.85, the director has access to corrections and detention data and medical data maintained

1.6   by an agency and classified as private data on individuals or confidential data on individuals

1.7   to the extent the data is necessary for the office to perform its duties under this section.

1.8   (b) Prior to accessing data pursuant to paragraph (a), when a crime victim is the subject

1.9   of the data and the data is classified as private data on individuals or confidential data on

1.10   individuals, the director must attempt to provide notice to and request consent to access the

1.11   data from the victim or, if the victim is deceased or missing, from the personal representative

1.12   of the estate of the victim during the period of administration, or if no personal representative

1.13   has been appointed or after discharge of the personal representative, the surviving spouse,

1.14   any child of the victim, or, if there is no surviving spouse or children, the parents of the

1.15   victim. If the victim, personal representative, or surviving family member affirmatively

1.16   refuses consent to access the private or confidential data about the victim, the director may

1.17   not access the data. The director may access private or confidential data about a victim

1.18   under paragraph (a) if:

1.19   (1) the victim, personal representative, or surviving family member gives consent to

1.20   access the private or confidential data about the victim;

1.21   (2) the director determines that, after reasonable effort, no victim, personal representative,

1.22   or surviving family member can be identified or located; or

1.23   (3) 30 days or more have passed since the notification was made, and the notified

1.24   individual has not responded."

2.1   Page 5, line 21, delete "Notwithstanding" insert "(a) Subject to paragraph (b), and

2.2   notwithstanding"

2.3   Page 5, after line 24, insert:

2.4   "(b) Prior to accessing data pursuant to paragraph (a), when a crime victim is the subject

2.5   of the data and the data is classified as private data on individuals or confidential data on

2.6   individuals, the director must attempt to provide notice to and request consent to access the

2.7   data from the victim or, if the victim is deceased or missing, from the personal representative

2.8   of the estate of the victim during the period of administration, or if no personal representative

2.9   has been appointed or after discharge of the personal representative, the surviving spouse,

2.10   any child of the victim, or, if there is no surviving spouse or children, the parents of the

2.11   victim. If the victim, personal representative, or surviving family member affirmatively

2.12   refuses consent to access the private or confidential data about the victim, the director may

2.13   not access the data. The director may access private or confidential data about a victim

2.14   under paragraph (a) if:

2.15   (1) the victim, personal representative, or surviving family member gives consent to

2.16   access the private or confidential data about the victim;

2.17   (2) the director determines that, after reasonable effort, no victim, personal representative,

2.18   or surviving family member can be identified or located; or

2.19   (3) 30 days or more have passed since the notification was made, and the notified

2.20   individual has not responded."

2.21   Renumber the sections in sequence and correct the internal references

2.22   Amend the title accordingly