April 3, 2025

House File 2959

Dear Co-Chair Scott and Co-Chair Liebling, Co-Vice Chair Hudson, Co-Vice Chair Frazier,

Our organizations represent tens of thousands of residents, employers and property taxpayers across the state of Minnesota. Communities large and small rely on the taxes we pay to fund our schools, roads, and transit systems, to name a few.

We write to encourage you to support House File 2959.

The bill fixes statutory language to reflect the legislative purpose and intent of classifying private data as nonpublic in court proceedings. Every moment this language goes unchecked, more private data is exposed – most of the time without the knowledge of the party impacted by the breach.

The nonpublic information made public in tax proceedings includes individual rental agreements, tenant improvement (TI) benefits, total income generated and reems of additional data. When this data is breached, it creates a competitive disadvantage to the taxpayer. It's the equivalent of giving away the secret 11 herbs and spices of KFC.

In reviewing this matter, the Minnesota Supreme Court Justice Paul Thissen (former Speaker of the Minnesota House), expressed concern that even allowing assessors to use third-party nonpublic data in their trial appraisal reports under the limited statutory exception relating to "assessor's records" was fundamentally inconsistent with the legislative purpose and intent of classifying the data as nonpublic and protecting it in the first place. It is for this reason, he recommended the Legislature fix the language to provide clarity for the future.

We ask you to take action today to resolve this issue and keep nonpublic data private.