

1.1 Senator ..... moves to amend H.F. No. 1830, in conference committee, as  
 1.2 follows:

1.3 On R7, Senate language, (UEH1826-1)

1.4 Page 7, delete section 14 and insert:

1.5 "Sec. 14. Minnesota Statutes 2022, section 3.979, subdivision 3, is amended to read:

1.6 Subd. 3. **Audit data.** (a) "Audit" as used in this subdivision means a financial audit,  
 1.7 program evaluation, special review, ~~or investigation,~~ or assessment of an allegation or report  
 1.8 submitted to the legislative auditor.

1.9 (b) Notwithstanding any other law, data relating to an audit are not public or with respect  
 1.10 to data on individuals are confidential or protected nonpublic until the final report of the  
 1.11 audit has been released by the legislative auditor or the audit is no longer being actively  
 1.12 pursued. Upon release of a final audit report by the legislative auditor, data relating to an  
 1.13 audit are public except data otherwise classified as not public.

1.14 (c) Unless the data are subject to a more restrictive classification by another law, upon  
 1.15 the legislative auditor's decision to no longer actively pursue an audit without the release  
 1.16 of a final audit report, data relating to an audit are private or nonpublic except for data (1)  
 1.17 relating to the audit's existence, status, and disposition; and (2) that document the work of  
 1.18 the legislative auditor. For any such audit, data identifying individuals or nongovernment  
 1.19 entities are private or nonpublic.

1.20 ~~(b)~~ (d) Data related to an audit but not published in the audit report and that the legislative  
 1.21 auditor reasonably believes will be used in litigation ~~are not public and with respect to data~~  
 1.22 ~~on individuals~~ are confidential or protected nonpublic until the litigation has been completed  
 1.23 or is no longer being actively pursued.

1.24 ~~(e)~~ (e) Data that could reasonably be used to determine the identity of an individual or  
 1.25 entity supplying data for an audit are private or nonpublic if the data supplied ~~by the~~  
 1.26 ~~individual~~ were needed for an audit and ~~the individual~~ would not have been provided ~~the~~  
 1.27 ~~data~~ to the legislative auditor without an assurance that the ~~individual's~~ identity of the  
 1.28 individual or entity would remain private or nonpublic, or the legislative auditor reasonably  
 1.29 believes that the ~~subject~~ data would not have been provided ~~the data~~.

1.30 ~~(d)~~ (f) ~~The definitions of terms provided in section 13.02 apply for purposes of this~~  
 1.31 ~~subdivision~~ Data related to an audit that were obtained from a nongovernmental entity have  
 1.32 the classification that the data would have if obtained from the government entity for which  
 1.33 the data were created, collected, or maintained by the nongovernmental entity.

- 2.1 (g) The legislative auditor may disseminate data of any classification to:
- 2.2 (1) a government entity, other than a law enforcement agency or prosecuting authority,
- 2.3 if the dissemination of the data aids a pending audit; or
- 2.4 (2) a law enforcement agency or prosecuting authority if there is reason to believe that
- 2.5 the data are evidence of criminal activity within the agency's or authority's jurisdiction.
- 2.6 (h) Notwithstanding the classification of data as confidential or protected nonpublic, an
- 2.7 individual or entity who supplies information for an audit may authorize the legislative
- 2.8 auditor to release data that would identify the individual or entity for the purpose of
- 2.9 conducting the audit. Data disseminated pursuant to this paragraph are subject to section
- 2.10 13.03, subdivision 4, paragraph (c)."