

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 2553  
**Version:** As introduced

**DATE:** March 10, 2014

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**Subject:** Electronic device location information

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### Overview

This bill requires law enforcement to secure a search warrant before collecting electronic device location information from individuals. The bill establishes several exceptions to the search warrant requirement and requires that notice be provided to individuals who have their location information collected.

#### Section

**1 Records concerning electronic communication service or remote computing service.** Creates a cross-reference to section 2 that makes it clear that electronic device location information is treated differently under statute than other records maintained by electronic communication services or remote computing services.

**2 Electronic device location information.**

**Subd. 1. Definitions.** Defines the following terms: “adverse result,” “electronic device,” “electronic communication service,” “government entity,” “location information,” “location information service,” and “remote computing service.”

**Subd. 2. Search warrant required for location information.** Requires a government entity to secure a search warrant prior to collecting electronic device location information. Creates exceptions to the search warrant requirement in cases where there is consent, an emergency, a stolen device, or a missing person. Requires a government entity to submit a statement to the court explaining the circumstances of each warrantless collection of location information.

**Subd. 3. Notice.** Requires government entities to provide notice to individuals

**Section**

who have their location information collected. Allows for delayed notice in certain exceptional circumstances.

**Subd. 4. Reporting requirements.** Requires judges to report to the State Court Administrator on the warrant applications and notices of warrantless collection of location information that the judges receive each year. The State Court Administrator shall report to the legislature on the topic each year and publish the report on the web.

**Subd. 5. Prohibition on use of evidence.** Prohibits evidence obtained in violation of this section from being admitted as evidence in a legal dispute. Requires at least 10-day notice to be given to parties when evidence collected under this section is to be offered as evidence in a legal dispute.