

Subject Government data practices: data sharing

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Summary

Under current law:

- Sharing of not public data among government entities may only occur pursuant to a specific authorization in state or federal law. See § 13.05, subd. 9.
- Government entities may disseminate private data to any person with the informed consent of the data subject. See § 13.05, subd. 4, para. (d).
- Government entities may go to court to oppose a subpoena or other court order seeking the release of not public data. See § 13.03, subd. 6.
- This bill amends the section of the Government Data Practices Act that restricts the sharing of data between government entities. This bill imposes stricter requirements for the sharing of not public data, providing that sharing between government entities, or between a state entity and the federal government may only occur (1) with the informed consent of the data subject, or (2) pursuant to a court-issued search warrant.
- By striking the provision of current law that permits data sharing pursuant to a specific authorization in law, this bill invalidates numerous existing data sharing authorizations in state statutes. See § 645.26, subd. 1 (when two laws found irreconcilable, the specific law prevails over the general laws unless the general law was enacted at a later session, in which case the general law shall prevail).