



Data Practices Requirements and Resources

Legislative Commission on Data Privacy
October 15, 2025

Other data practices related laws

- Official Records Act (Minn. Stat. § 15.17)
 - Make and preserve all records necessary to a full and accurate knowledge of official activities
- Data Practices Act (Minn. Stat. C. 13)
 - Governs how government data are administered based on how data are classified, provides rights and establishes obligations for government
 - Minn. Rules Ch. 1205
- Records Management Statute (Minn. Stat. § 138.17)
 - Government records made or received in connection with the transaction of public business must be maintained according to a schedule. Excludes records that do **not** become part of an official transaction.

Staff with data practices duties - RA

- Responsible authority (RA)
 - Person that is responsible for the collection, use, and dissemination of all entity data, and for the entity's data practices decisions. The RA must also ensure the entity complies with the requirements of the Act and the Rules.
- Designee (optional)
 - Any person designated by the RA to be in charge of government data and to receive and comply with requests for government data

Staff with data practices duties – DPCO

- Data practices compliance official (DPCO)
 - Employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The RA can also be the DPCO.

Responsible authority

(Minn. Stat. § 13.02, subd. 16 & Minn. R. 1205.0200)

- **State agency**

- Commissioner, Constitutional Officer, Chief Executive Officer, or an official appointed by the agency's governing body

- **School District**

- Person appointed by school board or the superintendent

- **City**

- Person appointed by city council or the city clerk

- **County**

- Elected officials (county attorney, sheriff, etc.)
- Employee appointed for data outside elected officials' offices
- County social services agency director (§ 13.46, subd. 10)
- County veterans service officer (§ 197.603, subd. 2)

- **Other entities**

- Chief administrative officer

Access to data

- Access means inspection or copies
- Requesters follow required access policies
- Entities follow required internal procedures to provide prompt and appropriate access to data

Trending issues

- Data practices enforcement
- Records management resources
- Larger data requests/time to respond
- Law enforcement data
 - Body camera data

Data Practices Office

We are a statewide resource

- Informal advice/technical assistance
- Training
- Advisory opinions
- Temporary classifications/new use
- Data challenge appeals
- Legislative assistance

<https://mn.gov/admin/data-practices/>

Statutory authority

- 13.04 – Data challenge appeals
- 13.06 – Temporary classifications
- 13.07 – Commissioner of Administration authority to adopt administrative rules
- 13.072 – Advisory opinion authority
- 13.073 – Public information training program
 - Government training
 - Policy analysis and support
 - Model policies and procedures
- 13.824 – Review ALPR audits

Advisory opinions

Minn. Stat. §13.072

- Commissioner of Administration has authority to issue advisory opinions on issues arising under the Data Practices Act and Open Meeting Law
 - Nonbinding
 - Data Practices advisory opinions are given deference in court for actions involving the data
 - Legal protections for individuals and entities that rely on an advisory opinion

Advisory opinion requesters

- Government entity:
 - Any question relating to public access to government data, rights of subjects of data, or classification of data under this chapter or other Minnesota statutes governing government data practices
- Member of the public/data subject
 - Any person who disagrees with a determination regarding data practices made by a government entity, the commissioner may give a written opinion regarding the person's rights as a subject of government data or right to have access to government dat

Advisory opinion process

- Review advisory opinion requests
- 5 business days to decline
- If accepted, provide notices
- Solicit comments, if needed
- Draft opinions
- Disseminate advisory opinions to parties and public
- Publish opinions on website

<https://mn.gov/admin/data-practices/opinions/opinions-library/>

Trainings

- We provide workshops on specific topics:
 - Introduction to Data Practices Policies & Procedures
 - Data Practices 201: Data Access Policies & Procedures
 - Law Enforcement Data Workshop
 - Dos and Don'ts of Government Personnel Data
 - Personnel Data Redaction Workshop
- Combination of lecture, exercises, and small group discussion

More trainings

- We also provide free webinars and presentations:
 - Data Practices and OML Potpourri Webinars
 - Data Practices Office Presents Webinar Series
 - State Archives, Minnesota School Boards Association, Safe at Home program
 - Recordings available on YouTube!
- Trainings upon request
 - Recent partners: U of MN, MSBA, AGO, MN Association of Charter Schools, MN Clerk's Institute and Advanced Academy, variety of state boards and taskforces

Informal assistance

- The primary work of DPO is providing informal guidance and assistance
 - Answering questions from government and public via email and telephone
 - Providing informal resolution and technical assistance for data requests
 - Developing resources to assist government entities carrying out data practices work

Learn more and stay in touch

DPO annual reports: <https://mn.gov/admin/data-practices/resources/laws/reports/>

Phone: 651-296-6733

Email: info.dpo@state.mn.us

Website: mn.gov/admin/data-practices

YouTube: <https://www.youtube.com/user/INFOIPAD>

Thank you!

Taya Moxley-Goldsmith, Director

Data Practices Office

Taya.moxley-goldsmith@state.mn.us

651-201-2502

Casey Carmody, Assistant Director

Data Practices Office

Casey.Carmody@state.mn.us

651-201-2505