

Email Received December 9, 2025

From: Robert Preble

Subject: Minnesota ch13 needs to be updated

Over the past several months, I have been working with multiple legislators including two state senators and another representative regarding ongoing and serious problems with public-data access under Minnesota Statute Chapter 13. A representative from the Department of Administration, who has been assisting me, acknowledged that Minnesota's data law has not been meaningfully updated in nearly 50 years.

That fact alone should concern every Minnesotan. Our government exists to serve the people, and the public data it holds belongs to the people. We fund the work, we fund the infrastructure, and we rely on accurate information to participate in our democracy. Yet today, too many barriers exist between citizens and the information we are entitled to by law.

Minnesotans deserve a modern data-access law that reflects the principles we claim to stand for: transparency, accountability, and limited government.

Below are the core problems, clearly stated and supported by direct experience.

## **1. There are no consequences when government employees violate Chapter 13.**

Under §13.03, when a government entity withholds or redacts data, it must cite the exact statutory authority for doing so.

In practice, this requirement is routinely ignored.

Entities frequently:

- Refuse to cite statute,
- Stall and delay beyond any reasonable timeframe,
- Demand information they already have,
- Or simply avoid responding.

They do this because there is no penalty for violating the law.

No one is held accountable. No one is disciplined. There is no enforcement mechanism.

A law without consequences is not a law — it is a suggestion.

Minnesota must update Chapter 13 so that violations carry real, enforceable penalties.

## **2. “Reasonable time” has become a loophole for indefinite delay.**

The statute says data must be provided within a “reasonable time.”

For citizens, that means days or weeks — not months.

Yet I have:

- Data requests eight months old,
- Others two to four months old,
- And many of them involve information that can be retrieved in under an hour.

Government is exploiting vague statutory language to avoid compliance.

A modern, accountable version of Chapter 13 must include:

- Clear deadlines,
- Mandatory timelines,
- And consequences for ignoring them.

## **3. Citizens should not be charged to access information we already paid for.**

The public finances:

- The salaries of the staff,
- The equipment,
- The buildings,
- The databases,
- And the data itself.

Yet agencies treat public data as though it is their private asset and impose fees to access it.

This is fundamentally wrong.

In a free society, public data is not a revenue stream — it is a public right.

Minnesota must remove unnecessary fees and ensure that public data access is not financially burdensome.

## **4. The \$1,000 fee to file a data-practices complaint is one of the most anti-citizen laws in the state.**

This single provision destroys accountability.

Requiring Minnesotans to pay \$1,000 just to file a complaint against their own government ensures that almost no one can use the process — especially:

- Seniors on fixed incomes,
- Working families,
- Individuals who already struggle financially.

It is, frankly, a barrier designed to protect government from oversight.

It must be eliminated.

## **Bottom Line**

There is no transparency because there is no enforcement.

As long as government can:

- Violate the law without consequence,
- Delay indefinitely under the guise of “reasonable time,”
- Charge citizens for information already funded by taxpayers, and
- Require a \$1,000 payment just to challenge misconduct...

...then Minnesota’s commitment to open government is nothing more than rhetoric.

Chapter 13 must be rewritten for the 21st century.

## **How Other States Do It: The Florida Example**

To illustrate how far behind Minnesota is, I examined Florida’s Sunshine Law and Public Records Law (Chapter 119). Florida a state that emphasizes transparency — allows multiple methods for submitting public-records requests:

Acceptable in Florida

- In person
- By mail

- By telephone
- By email or other electronic transmission
- Even verbally, without identifying yourself

The requester is not required to:

- Provide a name,
- Explain their purpose, or
- Fill out a form.

Most importantly:

Florida does not require citizens to use a portal, nor does it impose a massive financial burden to hold government accountable.

And unlike Minnesota, Florida imposes consequences for non-compliance.

## Conclusion

A free state does not hide information from its citizens.

A transparent government does not fear questions.

And a constitutional system cannot work if public data is controlled, restricted, or rationed by those in power.

Minnesota must modernize Chapter 13.

Not next decade. Not later. Now.

Because transparency is not a partisan issue it is a foundational principle of self-government.