

DATA DISTRIBUTION FAIRNESS ACT (DDFA)

A bill for an act relating to consumer data privacy; proposing coding for new law in Minnesota Statutes, chapter 13;

establishing the Data Distribution Fairness Act; regulating data monetization; requiring transparency and accountability.

Section 1. [13.901] SHORT TITLE.

This act may be cited as the Data Distribution Fairness Act.

Sec. 2. [13.902] PURPOSE AND LEGISLATIVE FINDINGS.

The legislature finds that personal data collected from Minnesotans has measurable economic value and is monetized without transparency or compensation. The purpose of this act is to establish a Digital Bill of Rights, regulate monetization, protect individuals against harmful profiling, and ensure fair economic participation.

Sec. 3. [13.903] DEFINITIONS.

Personal data means information relating to an identifiable individual, including derived or behavioral data. Sensitive data includes health, biometrics, geolocation, minors, and financial identity. Data broker means any business collecting or selling personal data. Profiling means automated analysis predicting behavior or opportunity. Monetization means any revenue-generating use of personal data.

Sec. 4. [13.904] INDIVIDUAL DIGITAL RIGHTS.

Minnesota residents have rights to transparency, access, correction, deletion, revocation of consent, portability, fair compensation, and algorithmic due process.

Sec. 5. [13.905] LIMITATIONS ON DATA COLLECTION AND USE.

Data collection must be limited to necessary purposes. Retention must be minimized. Dark patterns are prohibited. Data may not be repurposed without opt-in consent.

Sec. 6. [13.906] DATA MONETIZATION AND FAIR COMPENSATION.

No entity may monetize personal data without documented opt-in consent. Individuals must receive proportional compensation. Monetization formulas must be disclosed.

Sec. 7. [13.907] PROFILING AND AUTOMATED DECISION ACCOUNTABILITY.

Entities must provide explanations for automated decisions affecting housing, employment, credit, health, or essential services. Harmful or discriminatory profiling is prohibited.

Sec. 8. [13.908] DATA BROKER REGISTRATION.

All data brokers must register annually with the Department of Commerce and disclose data sources, categories, and monetization practices.

Sec. 9. [13.909] SECURITY AND BREACH NOTIFICATION.

Entities must implement reasonable security measures and notify affected individuals of breaches within 72 hours.

Sec. 10. [13.910] ENFORCEMENT.

The Attorney General may investigate violations and issue penalties up to 7500 USD per violation, or 15000 USD for minors' data. Courts may issue injunctions. A 30 day cure period applies only to first-time, non-intentional violations.

Sec. 11. [13.911] PRIVATE RIGHT OF ACTION.

Minnesota residents may recover actual or statutory damages, attorney fees, and injunctive relief. Waivers or arbitration mandates limiting rights are void.

Sec. 12. [13.912] DATA IMPACT ASSESSMENTS.

Annual assessments are required for entities engaging in data monetization or automated decision systems.

Sec. 13. [13.913] NON-RETALIATION.

Entities may not retaliate against individuals for exercising rights under this act.

Sec. 14. [13.914] TRANSPARENCY IN ALGORITHMIC SYSTEMS.

Automated decision systems must provide plain-language explanations and offer meaningful human review of adverse decisions.

Sec. 15. [13.915] RULEMAKING AUTHORITY.

The Commissioner of Commerce may adopt rules to implement this act.

Sec. 16. [13.916] EFFECTIVE DATE.

This act takes effect January 1, 2026, and applies to all data collected or processed after that date.

The legislature recognizes that digital privacy, data autonomy, and equitable economic participation are essential civil rights in the modern era. The Data Distribution Fairness Act establishes a framework ensuring Minnesotans retain meaningful control over their digital identities. As technology rapidly evolves, state law must adapt to prevent exploitation, discrimination, and opaque commercial practices. This act represents a foundational step toward a more transparent, accountable, and fair digital future. The legislature further finds that public trust in digital systems depends on clear rights, enforceable protections, and economic fairness. This additional context is included to ensure the completeness and readability of this legislative draft. Through the provisions established herein, Minnesota aims to lead the nation in setting clear standards for data governance, individual autonomy, and responsible technological innovation.