

# DATA DISTRIBUTION FAIRNESS ACT — EXPANDED LEGISLATIVE DRAFT

## Section 1. SHORT TITLE.

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

## Section 2. PURPOSE AND FINDINGS.

(a) Personal data has measurable economic value and Minnesota residents lack statutory rights...

## Section 3. DEFINITIONS.

(a) Personal data means information relating to an identifiable individual...

(b) Sensitive data means...

## Section 4. INDIVIDUAL RIGHTS.

(1) Transparency; (2) Access; (3) Correction; (4) Deletion; (5) Opt~~in~~in consent; (6) Economic participation.

## Section 5. LIMITATIONS ON DATA COLLECTION.

(a) Data must be limited to what is necessary...

(b) Retention minimized...

(c) Dark patterns prohibited.

(d) No secondary use without opt~~in~~in.

## Section 6. DATA MONETIZATION & COMPENSATION.

(a) No monetization without consent...

(b) Individuals entitled to proportional compensation...

## Section 7. PROFILING & ALGORITHMIC ACCOUNTABILITY.

(a) Automated decisions require explanation and human review...

(b) Discriminatory profiling prohibited...

## Section 8. DATA BROKER REGISTRATION.

(a) Annual registration required...

(b) Disclosure of data sources...

(c) Penalties for noncompliance.

## **Section 9. SECURITY & BREACH NOTIFICATION.**

- (a) Mandatory safeguards...
- (b) 72-hour disclosure...
- (c) Liability for inadequate security.

## **Section 10. ENFORCEMENT.**

- (a) Attorney general authority...
- (b) Penalties...
- (c) Injunctions...
- (d) Cure period...

## **Section 11. PRIVATE RIGHT OF ACTION.**

- (a) Minnesotans may recover damages...
- (b) Arbitration waivers void.

## **Section 12. DATA IMPACT ASSESSMENTS.**

- (a) Annual assessments...
- (b) Risk and fairness evaluation...

## **Section 13. PROHIBITION ON RETALIATION.**

No retaliation for exercising rights.

## **Section 14. TRANSPARENCY IN ALGORITHMIC SYSTEMS.**

- (a) Explanations required...
- (b) Human review rights.

## **Section 15. RULEMAKING AUTHORITY.**

Commissioner may adopt rules.

## **Section 16. EFFECTIVE DATE.**

January 1, 2026.