

HF2127 - 0 - Judicial Official Real Property Records Private

Chief Author: **Brion Curran**
 Committee: **Judiciary Finance and Civil Law**
 Date Completed: **3/27/2025 9:10:19 AM**
 Lead Agency: **Supreme Court**
 Other Agencies:
 Corrections Dept Public Defense Board
 Secretary of State Sentencing Guidelines Comm

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Secretary of State						
General Fund	-	18	-	-	-	-
State Total						
General Fund	-	18	-	-	-	-
Total	-	18	-	-	-	-
Biennial Total			18			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Secretary of State					
General Fund	-	-	-	-	-
Total	-	-	-	-	-

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 3/27/2025 9:10:19 AM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
Secretary of State						
General Fund		-	18	-	-	-
Total		-	18	-	-	-
Biennial Total				18		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Secretary of State						
General Fund						
Expenditures		-	19	2	2	2
Absorbed Costs		-	(1)	(2)	(2)	(2)
Total		-	18	-	-	-
Biennial Total				18		-
2 - Revenues, Transfers In*						
Secretary of State						
General Fund						
Total		-	-	-	-	-
Biennial Total				-		-

HF2127 - 0 - Judicial Official Real Property Records Private

Chief Author: **Brion Curran**
 Committee: **Judiciary Finance and Civil Law**
 Date Completed: **3/27/2025 9:10:19 AM**
 Agency: **Supreme Court**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings) Dollars in Thousands	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-
Biennial Total			-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 3/19/2025 5:40:21 PM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029	
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

H.F. 2127-0 (the "bill") establishes Minn. Stat. § 480.50, which classifies the personal information of judicial officials and family members collected, created, or maintained in real property records as private data on individuals within the meaning of the Minnesota Government Data Practices Act, provided the judicial official activates those protections by notifying officials.

The bill requires the Minnesota Judicial Branch to develop and provide a real property notice form for judicial officials to submit to county recorder offices in the county where the property identified in the notice is located and to the Office of the Secretary of State.

The bill requires judicial officials employed by the state to get verification from their human resources office of the status of their employment.

The bill requires a judicial official to provide each county recorder or other government entity notification within 90 days after the judicial official no longer qualifies. A judicial official who fails to give the required notice is subject to a civil penalty payable to each county recorder or other government entity.

The bill limits access to judicial official real property records to certain individuals for specific purposes.

The bill amends Minn. Stat. § 609.63 (Forgery) to expand the definition of conduct that constitutes an intent to defraud to include anyone who uses a false writing, knowing it to be false, for the purpose of procuring or disseminating the personal information of a judicial official. The bill is effective January 1, 2026, and applies to crimes committed on or after that date.

Assumptions

It is assumed the judicial branch staff resources required for the initial development of form for use by judicial officials will be absorbed by the normal operations of the judicial branch and that no additional staff will be required.

It is assumed no additional judicial branch staff resources will be needed for conducting an employment verification and signing the employment verification form.

It is assumed the civil penalties will be paid to the county recorder or other government entity to whom notice was due, and that no penalties will be paid to the Minnesota Judicial Branch.

It is assumed that given the limited number of judicial officials who qualify for protection under this bill and the prior availability of Minn. Stat. § 609.63, subd. (a)(1) as a criminal charge, there will not be a significant increase in cases filed with the district courts as a result of this bill.

Expenditure and/or Revenue Formula

An average of 30 charges under Minn. Stat. § 609.63 are filed in district court statewide per fiscal year (FY22: 30 FY23: 31; FY24: 42).

Even if the bill resulted in a 50% increase in filings under section 609.63, which is unlikely, the bill is not anticipated to have a significant fiscal impact on the judicial branch.

Long-Term Fiscal Considerations

None

Local Fiscal Impact

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Callie Lehman

Phone: 651-297-7579

Date: 3/19/2025 5:37:43 PM

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HF2127 - 0 - Judicial Official Real Property Records Private

Chief Author: **Brion Curran**
 Committee: **Judiciary Finance and Civil Law**
 Date Completed: **3/27/2025 9:10:19 AM**
 Agency: **Corrections Dept**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 3/19/2025 3:26:56 PM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
	Total	-	-	-	-	-
	Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
	Total	-	-	-	-	-
	Biennial Total			-		-
2 - Revenues, Transfers In*						
	Total	-	-	-	-	-
	Biennial Total			-		-

Bill Description

This bill creates a new statute allowing judicial officials to require that personal information in their real property records be kept private and expands the crime of forgery to include offenses related to improperly accessing the private personal information of judicial officials. This bill builds upon Ch. 123, passed during the 2024 legislative session, which prohibited the dissemination of certain personal information of judges and court staff.

Assumptions

The Minnesota Sentencing Guidelines Commission (MSGC) does not project a fiscal impact to state correctional resources as a result of this legislation.

Expenditure and/or Revenue Formula

N/A

Long-Term Fiscal Considerations

N/A

Local Fiscal Impact

MSGC projects a negligible fiscal impact to local correctional resources as a result of this legislation.

References/Sources

Department of Corrections staff

MSGC

Agency Contact:

Agency Fiscal Note Coordinator Signature: Mark Besonen

Date: 3/18/2025 8:40:22 AM

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HF2127 - 0 - Judicial Official Real Property Records Private

Chief Author: **Brion Curran**
 Committee: **Judiciary Finance and Civil Law**
 Date Completed: **3/27/2025 9:10:19 AM**
 Agency: **Public Defense Board**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 3/19/2025 3:25:06 PM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
	Total	-	-	-	-	-
	Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
	Total	-	-	-	-	-
	Biennial Total			-		-
2 - Revenues, Transfers In*						
	Total	-	-	-	-	-
	Biennial Total			-		-

Bill Description

The bill would lclassify judicial official real property records as private data.

Assumptions

No impact

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Kevin Kajer

Phone: 612-279-3508

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HF2127 - 0 - Judicial Official Real Property Records Private

Chief Author: **Brion Curran**
 Committee: **Judiciary Finance and Civil Law**
 Date Completed: **3/27/2025 9:10:19 AM**
 Agency: **Secretary of State**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact		
	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	18	-	-	-	-
Total	-	18	-	-	-	-
Biennial Total			18			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
General Fund	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Chloe Burns **Date:** 3/26/2025 10:45:34 PM
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State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

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State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
General Fund		-	18	-	-	-
Total		-	18	-	-	-
Biennial Total				18		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund						
Expenditures		-	19	2	2	2
Absorbed Costs		-	(1)	(2)	(2)	(2)
Total		-	18	-	-	-
Biennial Total				18		-
2 - Revenues, Transfers In*						
General Fund						
Total		-	-	-	-	-
Biennial Total				-		-

Bill Description

This bill modifies the provision Minnesota Government Data Practices Act regarding judicial officials in the following ways relevant to the Office of the Secretary of State:

1. Lines 2.3 through 2.4, 4.26 through 4.28, and 5.15 through 5.25 classify personal information of judicial officials in real property records, including uniform commercial code and tax lien records, as private data so long as a real property notice is submitted to the Office of the Secretary of State and the county recorder where the property is located. This data cannot be shared except in certain cases, as outlined in lines 6.9 through 6.33, including a written consent by the judicial official.
2. Lines 7.1 through 7.27 state that any request to classify personal data of judicial officers in real property records applies retroactively if the person provides the document number for which protection is sought; that the Office of the Secretary of State has 60 days to remove such data from those records; and that the prohibition continues until the judicial official consents to the termination of the notice, the notice is terminated by a court, the judicial official no longer holds a record interest in the real property, or the judicial official no longer qualifies as a judicial official.
3. Lines 7.31 through 8.15 certain categories of people who can request access to the data, provided they submit on a written request on a form provided by the state.

Assumptions

In FY 26, the Office assumes it will take approximately 160 hours for development and testing of the operational and correction procedures necessary to remove protected data upon request and to handle and process requests for fees and data requests from authorized individuals. The Office further assumes it will take 10 hours to develop the request consent form, which is composed of two hours of legal time, two hours of IT/development time, and six hours of UCC administrative time. The Office assumes it is responsible for developing a form that only relate to records in its possession. The Office also assumes 10 hours of UCC administration training time.

Since the passage of Minnesota Statutes 480.40 and 480.45, the Office has received only a small number of requests from judicial officials to classify data as private. The Office assumes it will receive three requests in FY 26 and six requests a year thereafter from judicial officials for removal of personal data. The Office assumes it will take 4 hours to process each request, with 1.5 hours of UCC administration time and 2.5 hours of IT/development time.

For FY 26, the Office assumes it will receive no requests from judicial officials to release information and one request from

an entity seeking to access the data. Thereafter, the Office assumes it will receive one request from a judicial official a year to release this information and two requests a year from the individuals who have the right to make a written request for the data. The Office assumes it will take three hours of UCC administration time to process each request.

Finally, the Office assumes that for the next three years, it will not incur additional storage costs to keep the unredacted liens and real property request and consent forms (given the small number of anticipated filings), but those costs may change over time depending on the number of requests received.

Expenditure and/or Revenue Formula

Expenditures

FY 26

Development

160 hours for development and testing of program to remove and redact necessary data at \$105 per hour

Total: $160 \times \$105 = \$16,800$

10 hours of time to prepare the access form, composed of 6 hours of UCC administration time at \$51.03 per hour, 2 hours of development time at \$105 per hour, and 2 hours of legal time at \$89.90 per hour

Total: $(\$51.03 \times 6) + (\$105 \times 2) + (\$89.90 \times 2) = \695.98

10 hours of training time, composed of 6 hours of UCC Administration leadership time at \$57.94 per hour and UCC Administration time at \$51.03 per hour

Total: \$551.76

Administration (costs to be absorbed)

4 hours to process the requests to remove information, composed of 1.5 hours of UCC Administration time at \$51.03 per hour and 2.5 hours of development time at \$105 per hour

Total: $(\$51.03 \times 1.5) + (\$105 \times 2.5) \times 3 \text{ (requests)} = \$1,017.15$

3 hours of UCC Administration time at \$51.03 per hour to process the consents/requests for release of data

Total: $\$51.03 \times 3 \times 1 \text{ (requests)} = \153.09

TOTAL FY 26 COSTS: \$19,217.98

Ongoing costs

Administration

4 hours to process the requests to remove information, composed of 1.5 hours of UCC Administration time at \$51.03 per hour and 2.5 hours of development time at \$105 per hour

Total: $(\$51.03 \times 1.5) + (\$105 \times 2.5) \times 6 \text{ (requests)} = \$2,034.30$

3 hours of UCC Administration time at \$51.03 per hour to process the consents/requests for release of data

Total: $\$51.03 \times 3 \times 3 \text{ (requests)} = \459.27

TOTAL ONGOING COSTS: \$2,493.57

Revenues

FY 26

\$40 fee per real property notice

Total: \$40 x 3 (notices)=\$120

\$40 fee per consent/request

Total: \$40 x 1 (requests)=\$40

TOTAL REVENUE: \$160

Ongoing

\$40 fee per real property notice

Total: \$40 x 6 (notices)=\$240

\$40 fee per consent/request

Total: \$40 x 3 (requests)=\$120

TOTAL REVENUE: \$360

Long-Term Fiscal Considerations

Any additional costs to implement the requirements of this bill (such as updating the new system) would be ongoing and contingent on the Secretary of State receiving additional funds to implement. In addition, the Office may incur additional storage costs over time as more requests are received as the Office would have to store the unredacted liens and real property requests and consents elsewhere.

Local Fiscal Impact

Local governments will incur costs associated with redacting real property records in their possession and responding to requests.

References/Sources

Justin Erickson 651-201-6895, justin.erickson@state.mn.us

Agency Contact: Adam Hansen (651-201-6870)

Agency Fiscal Note Coordinator Signature: Adam Hansen

Phone: 651-201-6870

Date: 3/26/2025 12:14:28 PM

Email: adam.hansen@state.mn.us

HF2127 - 0 - Judicial Official Real Property Records Private

Chief Author: **Brion Curran**
 Committee: **Judiciary Finance and Civil Law**
 Date Completed: **3/27/2025 9:10:19 AM**
 Agency: **Sentencing Guidelines Comm**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2025	FY2026	FY2027	FY2028	FY2029
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 3/19/2025 3:26:25 PM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details

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State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

Bill Description

Section 4 creates a new Minn. Stat. § 480.50, which classifies the personal information of judicial officials and family members collected, created, or maintained in real property records as private data on individuals within the meaning of the Minnesota Government Data Practices Act, provided the judicial official activates those protections by notifying officials.

Sections 1 through 3 are conforming amendments.

Section 5 amends Minn. Stat. § 609.63 (Forgery) to include within the definition of felony forgery (three-year statutory) the offenses of using a false writing, knowing it to be false, for the purpose of procuring or disseminating the personal information of a judicial official.

The bill is effective January 1, 2026, and applies to crimes committed on or after that date.

Assumptions

It is assumed that due to the COVID-19 health pandemic, the cases sentenced in 2020 and 2021 may not be a fair approximation of cases sentenced in the future. One of the responsibilities of the Commission is to assign severity-level (SL) rankings to new felony offenses passed by the Legislature. The Commission bases its decisions, in part, on the level of harm caused and the culpability of the person. The statutory maximum is also considered.

Forgery is ranked at SL 1. It is assumed that the new felony under subd. 1(8) will be ranked at SL 1. At SL 1, cases with a criminal history score of 6 or more are recommended prison sentences and the maximum duration is 22 months, prison. According to MSGC sentencing data from 2019 to 2023, there have been 42 cases of forgery sentenced (an annual average 8.4 cases) as described in Table 1.

Table 1. Number of Forgery Sentences, 2019 to 2023

Offense	Minn. Stat. Section	State Prison	Probation Local Jail as a Condition	Other Sanction	Total	Annual Avg.
Forgery	609.63, subd. 1	0	0	1	1	0.2
Uses a false writing	609.63, subd. 1(1)	0	19	3	22	4.4
Falsely makes or alters a membership card	609.63, subd. 1(3)	0	2	1	3	0.6
Falsely makes or alters a writing	609.63, subd. 1(4)	0	1	0	1	0.2
Destroys, mutilates, or by alteration, false entry	609.63, subd. 1(5)	0	4	2	6	1.2
Falsifies any record, account, or	609.63, subd. 1(6)	0	4	2	6	1.2

other document relating to a person, corporation, or business						
Destroys a writing or object to prevent it from being produced at a trial, hearing	609.63, subd. 1(7)	0	0	1	1	0.2
Forged document at trial	609.63, subd. 2	0	2	0	2	0.4
Total		0	32	10	42	8.4

It is assumed that the new offense under subd. 1(8), using a false writing, knowing it to be false, for the purpose of procuring or disseminating the personal information of a judicial official, will occur no more frequently as the offense under subd. 1(7), destroys a writing or object to prevent it from being produced at a trial, hearing; an annual average 0.4 cases. None of the forgery cases received a prison sentence (0% imprisonment rate); and 76 percent received local confinement as a condition of their stayed probationary sentences (32 cases). The average pronounced local confinement time was 39 days (serve 2/3 term = 26 days).

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Based on the above assumptions, that there were no prison cases, it is estimated that there will be no long-term fiscal impact.

Local Fiscal Impact

Based on the above assumptions, that the offense will occur infrequently, and the local confinement time is minimal, it is estimated that the local government fiscal impact of this bill is negligible.

References/Sources

MSGC Monitoring Data, 2019 to 2023.

Agency Contact:

Agency Fiscal Note Coordinator Signature: Jill Payne

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Date: 3/18/2025 7:21:56 AM

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