

Sec. 10. Minnesota Statutes 1971, Section 326.339, is amended to read:

**326.339 VIOLATIONS.** Unless otherwise specifically provided any violation of any provision or requirement of sections 326.331 to 326.339 ~~not otherwise punishable shall be deemed~~ is a gross misdemeanor.

Sec. 11. **APPROPRIATIONS.** There is appropriated to the private detective and protective agent licensing board from the general fund in the state treasury \$20,000 for carrying out the provisions of sections 326.331 to 326.339. Notwithstanding Minnesota Statutes 1971, Section 16.17, or any other law relating to the lapse of an appropriation, the appropriation made by this section shall not lapse prior to June 30, 1975.

Sec. 12. Minnesota Statutes 1971, Section 326.335, is repealed.

Approved March 28, 1974.

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#### CHAPTER 311—S.F.No.707

*An act relating to tort liability; political subdivisions; defining notice; extending time for notice of claims and eliminating notice requirements for intentional torts and vehicular accidents; amending Minnesota Statutes 1971, Section 466.05.*

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:**

Section 1. Minnesota Statutes 1971, Section 466.05, is amended to read:

**466.05 TORT LIABILITY OF POLITICAL SUBDIVISIONS; NOTICE OF CLAIM.** Subdivision 1. **NOTICE REQUIRED.** Except as provided in subdivisions 2 and 3, every person who claims damages from any municipality for or on account of any loss or injury within the scope of section 466.02 shall cause to be presented to the governing body of the municipality within ~~30-60~~ days after the alleged loss or injury is discovered a ~~written~~ notice stating the time, place and circumstances thereof, and the amount of compensation or other relief demanded. Actual notice of sufficient facts to reasonably put the governing body of the municipality or its insurer on notice of a possible claim shall be construed to comply with the notice requirements of this section. Failure to state the amount of compensation or other relief demanded does not invalidate the notice; but in such case, the claimant shall furnish full information regarding the nature and extent of the injuries and damages within 15 days after demand by the municipality. No action therefor shall be maintained unless such notice has been given and unless the action is commenced within one year after

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such notice. The time for giving such notice does not include the time, not exceeding 90 days, during which the person injured is incapacitated by the injury from giving the notice.

**Subd. 2. EXCEPTIONS TO THE NOTICE REQUIREMENT.** Notice shall not be required to maintain an action for damages for or on account of any loss or injury within the scope of section 466.02 if such injury or loss:

(a) arises out of an intentional tort committed by an officer, employee or agent of the municipality; or

(b) involves a motor vehicle or other equipment owned by the municipality or operated by an officer, employee or agent of the municipality.

**Subd. 2-3 . CLAIMS FOR WRONGFUL DEATH; NOTICE.** When the claim is one for death by wrongful act or omission, the notice may be presented by the personal representative, surviving spouse, or next of kin, or the consular officer of the foreign country of which the deceased was a citizen, within one year after the alleged injury or loss resulting in such death; ~~but~~ if the person for whose death the claim is made has presented a notice that would have been sufficient had he lived an action for wrongful death may be brought without any additional notice.

Approved March 28, 1974.

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**CHAPTER 312—S.F.No.735**  
[Coded in Part]

*An act relating to elections; permitting the contest of elections under certain circumstances; amending Minnesota Statutes 1971, Sections 209.02, by adding a subdivision; 204.29, Subdivisions 2 and 3; 204.31, Subdivisions 2 and 3; and 204.32, Subdivision 1.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1971, Section 209.02, is amended by adding a subdivision to read:

**Subd. 8. ELECTIONS; CONTEST OF ELECTIONS.** When the notice of contest questions only which candidate received the highest number of votes legally cast at the election, the contestee may also serve notice of contest on any other ground during the three days following expiration of the time for appeal after filing of the final order of the district court on the contest relating to the number of votes. Notice of contest pursuant to this subdivision shall otherwise be made in ac-

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