

SENATE

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION

S.F. No. 2331

(SENATE AUTHORS: SPARKS, Saxhaug, Jensen and Gazelka)

DATE	D-PG	OFFICIAL STATUS
03/06/2014	5985	Introduction and first reading Referred to Judiciary

1.1

A bill for an act

1.2

relating to civil actions; specifying the duty owed by owners of real property to

1.3

trespassers; proposing coding for new law in Minnesota Statutes, chapter 604A.

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

1.5

Section 1. [604A.28] DUTY OF OWNER OF REAL PROPERTY TO

1.6

TRESPASSER.

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(a) An owner of real property owes no duty of care to a trespasser except in those

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circumstances where a common law or statutory right of action existed as of the effective

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date of this section.

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(b) This section does not affect any immunities from or defenses to civil liability

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established by other law or available at common law to which an owner of real property

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may be entitled.

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(c) For the purposes of this section, "owner" means the possessor of a fee interest

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or a life estate, tenant, lessee, occupant, holder of a utility easement, or a person in

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control of the land.

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EFFECTIVE DATE. This section is effective July 1, 2014, and applies to actions

1.17

arising from incidents occurring on or after that date.