

A bill for an act
relating to civil actions; modifying the limitation period for civil actions
involving sexual abuse; proposing coding for new law in Minnesota Statutes,
chapter 541; repealing Minnesota Statutes 2006, section 541.073.

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

Section 1. **[541.077] ACTIONS FOR DAMAGES DUE TO SEXUAL ABUSE.**

Subdivision 1. **Definition.** As used in this section, "sexual abuse" means conduct
described in sections 609.342 to 609.3451.

Subd. 2. **Application.** This section applies to actions based on personal injury
caused by sexual abuse committed against an adult or minor.

Subd. 3. **No limitations period in certain cases.** There is no limitations period for
an action against the person who committed sexual abuse against the victim.

Subd. 4. **Limitations period.** (a) An action against a person who negligently
permitted sexual abuse to occur to an adult must be commenced within six years of the
last incident of sexual abuse.

(b) An action against a person who negligently permitted sexual abuse to occur to a
minor must be commenced before the victim reaches 35 years of age.

Subd. 5. **Not applicable to vicarious liability or respondeat superior claims.**
This section does not apply to a claim based on vicarious liability or liability under the
doctrine of respondeat superior. This subdivision does not limit the availability of these
claims under other law.

Sec. 2. **REPEALER.**

Minnesota Statutes 2006, section 541.073, is repealed.

2.1 Sec. 3. **EFFECTIVE DATE; APPLICATION.**

2.2 This act is effective the day following final enactment and applies to actions pending
2.3 on or commenced on or after that date, regardless of any previous statute of limitations.

541.073 ACTIONS FOR DAMAGES DUE TO SEXUAL ABUSE; SPECIAL PROVISIONS.

Subdivision 1. **Definition.** As used in this section, "sexual abuse" means conduct described in sections 609.342 to 609.345.

Subd. 2. **Limitations period.** (a) An action for damages based on personal injury caused by sexual abuse must be commenced within six years of the time the plaintiff knew or had reason to know that the injury was caused by the sexual abuse.

(b) The plaintiff need not establish which act in a continuous series of sexual abuse acts by the defendant caused the injury.

(c) The knowledge of a parent or guardian may not be imputed to a minor.

(d) This section does not affect the suspension of the statute of limitations during a period of disability under section 541.15.

Subd. 3. **Applicability.** This section applies to an action for damages commenced against a person who caused the plaintiff's personal injury either by (1) committing sexual abuse against the plaintiff, or (2) negligently permitting sexual abuse against the plaintiff to occur.