

A bill for an act

relating to civil law; extending civil immunity to municipalities that donate public safety equipment; amending Minnesota Statutes 2006, section 466.03, by adding a subdivision.

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

Section 1. Minnesota Statutes 2006, section 466.03, is amended by adding a subdivision to read:

Subd. 23. **Used public safety equipment.** (a) Any tort claim against a municipality resulting from the use of public safety equipment donated by the municipality, unless the claim is a direct result of the intentional misconduct, gross negligence, or ordinary negligence of the municipality including, but not limited to, the failure to disclose known defects or mechanical failures.

(b) As used in this subdivision, "public safety equipment" means any equipment purchased or obtained through gifts or grants by a municipality for use in responding to or training for emergencies.

EFFECTIVE DATE. This section is effective August 1, 2008, and applies to actions arising from incidents occurring on or after that date.