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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-SEVENTH SESSION

**H. F. No. 1819**

01/24/2012 Authored by Dettmer, McElfatrick, Westrom, Anderson, B., Lohmer and others

The bill was read for the first time and referred to the Veterans Services Division

02/08/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Civil Law

1.1 A bill for an act  
1.2 relating to the military; beyond the yellow ribbon program; civil immunity;  
1.3 proposing coding for new law in Minnesota Statutes, chapter 192.

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

1.5 Section 1. [192.535] CIVIL IMMUNITY; BEYOND THE YELLOW RIBBON  
1.6 PROGRAM.

1.7 Subdivision 1. Definitions. As used in this section:

1.8 (1) "services" means the provision of physical, emotional, financial, or other care,  
1.9 assistance, counseling, advice, or services; and

1.10 (2) "program" means the Minnesota National Guard beyond the yellow ribbon  
1.11 program.

1.12 Subd. 2. Civil immunity. (a) A person who, while participating in any capacity in  
1.13 the program, provides services to an active or reserve service member or to an immediate  
1.14 family member of the service member before, during, or after the service member's  
1.15 mobilization or deployment for a contingency operation ordered by a proper military  
1.16 authority is not liable for damages resulting from the acts or omissions by that person in  
1.17 providing the services, unless the act or omission is willful and wanton or reckless.

1.18 (b) A recipient of services provided by a person participating in any capacity in  
1.19 the program is not liable for damages incurred by the person in the course of providing  
1.20 the services, unless the damage is the result of a willful and wanton or reckless act or  
1.21 omission of the recipient.

1.22 Subd. 3. Exception. This section does not apply to a person who provides services  
1.23 to an active or reserve service member or to an immediate family member of the service

2.1 member during the course of the person's regular employment and for which the person  
2.2 receives compensation.

2.3 **EFFECTIVE DATE.** This section is effective the day following final enactment  
2.4 and applies to damages incurred on or after that date.