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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3025

02/26/2018 Authored by Fabian and Heintzeman
The bill was read for the first time and referred to the Committee on Civil Law and Data Practices Policy

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.

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

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

1.6 (a) An owner of real property owes no duty of care to a trespasser unless a common law
1.7 or statutory right of action existed as of the effective date of this section.

1.8 (b) This section does not affect any immunities from or defenses to civil liability
1.9 established by other law or available at common law to which an owner of real property
1.10 may be entitled.

1.11 (c) For the purposes of this section, "owner" means the possessor of a fee interest or a
1.12 life estate, tenant, lessee, occupant, holder of a utility easement, or a person in control of
1.13 the land.

1.14 **EFFECTIVE DATE.** This section is effective July 1, 2018, and applies to actions
1.15 arising from incidents occurring on or after that date.