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State of Minnesota  
HOUSE OF REPRESENTATIVES  
NINETIETH SESSION

H. F. No. 3385

03/05/2018 Authored by Green and Loonan  
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 immunity from liability for real property owners  
1.3 required to provide access to assistance animals; proposing coding for new law in  
1.4 Minnesota Statutes, chapter 604A.

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

1.6 Section 1. [604A.302] ASSISTANCE ANIMAL ACCESS TO REAL PROPERTY;  
1.7 PROPERTY OWNER IMMUNITY FROM LIABILITY.

1.8 Subdivision 1. Definitions. (a) The definitions in this subdivision apply to this section.

1.9 (b) "Assistance animal" means an animal that assists, supports, or provides a service to  
1.10 a person with a disability.

1.11 (c) "Owner" means the owner of real property or an operator, manager, lessor, or other  
1.12 agent of the owner.

1.13 (d) "Real property" includes any physical location or portion of real property that federal  
1.14 or state law or local ordinance requires to be accessible to a person with a disability who is  
1.15 using an assistance animal.

1.16 Subd. 2. Immunity. (a) An owner of real property is not liable for any injury or damage  
1.17 caused by an assistance animal if:

1.18 (1) the owner believes in good faith that the animal is an assistance animal or the  
1.19 individual using the assistance animal represents that the animal is an assistance animal;  
1.20 and

1.21 (2) the injury or damage is not caused by the negligence of the owner of the real property  
1.22 and the owner is not liable under section 347.22.

- 2.1 (b) An owner does not have a duty to determine the existence of an exception to the  
2.2 applicable law that would allow the owner to deny access to the real property by a person  
2.3 using an assistance animal.