

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 1196

(SENATE AUTHORS: LIMMER, Sparks, Tomassoni, Johnson and Hall)

DATE	D-PG	OFFICIAL STATUS
02/20/2017	673	Introduction and first reading
		Referred to Judiciary and Public Safety Finance and Policy
03/14/2017	1431a	Comm report: To pass as amended
	1458	Second reading
05/04/2017	3374	HF substituted on General Orders HF985

- 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, 2017, and applies to actions
- 1.15 arising from incidents occurring on or after that date.