

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 3609

(SENATE AUTHORS: CHAMPION, Hayden, Housley, Saxhaug and Cohen)

| DATE | D-PG | OFFICIAL STATUS |
|------------|-------|--|
| 05/09/2016 | 6850 | Introduction and first reading Referred to Judiciary |
| 05/10/2016 | 6870 | Author added Cohen |
| 05/17/2016 | 7061a | Comm report: To pass as amended Joint rule 2.03, referred to Rules and Administration |
| 05/18/2016 | 7168a | Joint rule 2.03 Suspended amend previous committee report Re-referred to Judiciary |

1.1 A bill for an act
 1.2 relating to civil actions; providing for survival of commercial appropriation
 1.3 claims; proposing coding for new law in Minnesota Statutes, chapter 604.

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

1.5 Section 1. **[604.25] CLAIM FOR COMMERCIAL APPROPRIATION.**

1.6 (a) For purposes of this section, "governing instrument" means a will, trust, or other
 1.7 dispositive or nominative document recognized by law.

1.8 (b) A claim for commercial appropriation as it exists in common law is transferable
 1.9 and descendible, in whole or in part, by contract, by means of a governing instrument,
 1.10 or by intestacy under chapter 524. The claim survives the death of an individual
 1.11 and exclusively vests in the persons entitled to the claim under a contract, governing
 1.12 instrument, or intestacy.

1.13 (c) The claim survives for a period of 50 years after death of the individual, subject
 1.14 to the applicable statute of limitations.

1.15 (d) The rights and remedies provided for in this section are cumulative and are in
 1.16 addition to other rights and remedies under law.

1.17 **EFFECTIVE DATE.** This section is effective the day following final enactment
 1.18 and applies to causes of action that accrue on or after that date. This section applies to
 1.19 the rights of a deceased individual who was domiciled in Minnesota at the time of the
 1.20 individual's death.