

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 791

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

DATE	D-PG	OFFICIAL STATUS
02/04/2019	243	Introduction and first reading Referred to Judiciary and Public Safety Finance and Policy
02/18/2019	410	Comm report: To pass
	416	Second reading
	4689	Rule 47, returned to Judiciary and Public Safety Finance and Policy
02/20/2020	4808a	Comm report: To pass as amended
	4825	Second reading

- 1.1 A bill for an act
- 1.2 relating to civil actions; specifying the duty owed by real property owners 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) A real property owner owes no duty of care to a trespasser unless a common law or
- 1.7 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 that a real property owner may be
- 1.10 entitled to.
- 1.11 (c) For the purposes of this section, "owner" means the possessor of a fee interest, a life
- 1.12 estate, tenant, lessee, occupant, holder of a utility easement, or a person in control of the
- 1.13 land.
- 1.14 **EFFECTIVE DATE.** This section is effective July 1, 2020, and applies to actions
- 1.15 arising from incidents occurring on or after that date.