

(SENATE AUTHORS: ORTMAN, Scheid, Gerlach, Saxhaug and Wiger)

DATE	D-PG	OFFICIAL STATUS
02/21/2011	270	Introduction and first reading Referred to Judiciary and Public Safety
05/02/2011	1568 1604	Comm report: To pass Second reading
05/14/2011	2046	General Orders: To pass
05/16/2011	2082	Calendar: Third reading Passed
02/08/2012	3716 3716 3717	Returned from House with amendment Senate concurred and repassed bill Third reading
02/13/2012	3778 3779	Governor's action Veto Chapter 119 02/10/2012 Veto message laid on table

1.1

A bill for an act

1.2

relating to civil actions; reducing the limitation period for bringing certain

1.3

actions; amending Minnesota Statutes 2010, sections 325D.64; 541.05,

1.4

subdivision 1.

1.5

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

1.6

Section 1. Minnesota Statutes 2010, section 325D.64, is amended to read:

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**325D.64 STATUTE OF LIMITATIONS.**

1.8

Subdivision 1. **Interpretation and effect.** An action under sections 325D.49 to

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325D.66, shall be forever barred unless commenced within ~~four~~ two years of the date

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upon which the cause of action arose. No cause of action barred under existing law on

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June 8, 1971 shall be revived by sections 325D.49 to 325D.66. For the purpose of this

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section, a cause of action for a continuing violation is deemed to arise at any time during

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the period of the violation.

1.14

Subd. 2. **Government actions; suspension.** If any proceeding is commenced

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under sections 325D.49 to 325D.66, by the attorney general on behalf of the state of

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Minnesota, its departments or agencies, or its political subdivisions, the running of the

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statute of limitations in respect of every right of action arising under sections 325D.49 to

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325D.66, and based in whole or in part on any matter complained of in the aforementioned

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proceeding shall be suspended during the pendency thereof and for one year thereafter. If

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the running of the statute of limitations is suspended, the action shall be forever barred

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unless commenced within the greater of either the period of suspension or ~~four~~ two years

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after the date upon which the cause of action arose.

1.23

Sec. 2. Minnesota Statutes 2010, section 541.05, subdivision 1, is amended to read:

Subdivision 1. ~~Six-year~~ **Four-year limitation.** Except where the Uniform Commercial Code otherwise prescribes, the following actions shall be commenced within ~~six~~ four years:

(1) upon a contract or other obligation, express or implied, as to which no other limitation is expressly prescribed;

(2) upon a liability created by statute, other than those arising upon a penalty or forfeiture or where a shorter period is provided by section 541.07;

(3) for a trespass upon real estate;

(4) for taking, detaining, or injuring personal property, including actions for the specific recovery thereof;

(5) for criminal conversation, or for any other injury to the person or rights of another, not arising on contract, and not hereinafter enumerated;

(6) for relief on the ground of fraud, in which case the cause of action shall not be deemed to have accrued until the discovery by the aggrieved party of the facts constituting the fraud;

(7) to enforce a trust or compel a trustee to account, where the trustee has neglected to discharge the trust, or claims to have fully performed it, or has repudiated the trust relation;

(8) against sureties upon the official bond of any public officer, whether of the state or of any county, town, school district, or a municipality therein; in which case the limitation shall not begin to run until the term of such officer for which the bond was given shall have expired;

(9) for damages caused by a dam, used for commercial purposes; or

(10) for assault, battery, false imprisonment, or other tort resulting in personal injury, if the conduct that gives rise to the cause of action also constitutes domestic abuse as defined in section 518B.01.

**Sec. 3. EFFECTIVE DATE.**

Sections 1 and 2 are effective August 1, 2011, and apply to causes of action occurring or accruing on or after that date.