SENATE STATE OF MINNESOTA EIGHTY-SEVENTH LEGISLATURE

S.F. No. 1068

(SENATE AUTHORS, DALET, SCHOOL, THUMPSON, VANGEVECT AND HATTINGTON)	(SENATE AUTHORS: DALEY, Scheid, Thompson, Van	ndeveer and Harrington)
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DATE	D-PG	OFFICIAL STATUS
03/30/2011	1065	Introduction and first reading Referred to Judiciary and Public Safety
04/18/2011	1384a	Comm report: To pass as amended and re-refer to Local Government and Elections
05/09/2011	1796a	Comm report: To pass as amended
	1846	Second reading
05/18/2011	2206	HF substituted on General Orders HF1343

1.1 A bill for an act
1.2 relating to civil actions; providing immunity in certain cases involving the use of
1.3 school facilities for recreational activities; amending Minnesota Statutes 2010,
1.4 section 466.03, subdivision 6e, by adding a subdivision.

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

Section 1. Minnesota Statutes 2010, section 466.03, subdivision 6e, is amended to read:

Subd. 6e. **Parks and recreation areas.** Any claim based upon the construction, operation, or maintenance of any property owned or leased by the municipality that is intended or permitted to be used as a park, as an open area for recreational purposes, or for the provision of recreational services, or from any claim based on the clearing of land, removal of refuse, and creation of trails or paths without artificial surfaces, if the claim arises from a loss incurred by a user of park and recreation property or services. Nothing in this subdivision limits the liability of a municipality for conduct that would entitle a trespasser to damages against a private person, except as provided in subdivision 23.

- Sec. 2. Minnesota Statutes 2010, section 466.03, is amended by adding a subdivision to read:
- 1.17 Subd. 23. Recreational use of school property and facilities. (a) Any claim for a

 1.18 loss or injury arising from the use of school property or a school facility made available

 1.19 for public recreational activity.
 - (b) Nothing in this subdivision:

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- 1.21 (1) limits the liability of a school district for conduct that would entitle a trespasser to damages against a private person or for negligent maintenance of equipment; or
 - (2) reduces any existing duty owed by the school district.

Sec. 2.

S.F. No. 1068, 2nd Engrossment - 87th Legislative Session (2011-2012) [S1068-2]

- Sec. 3. **EFFECTIVE DATE.**
- Sections 1 and 2 are effective the day following final enactment and apply to causes
- 2.3 <u>of action arising on or after that date.</u>

Sec. 3. 2