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State of Minnesota

HOUSE OF REPRESENTATIVES

Unofficial Engrossment

House Engrossment of a Senate File

EIGHTY-SEVENTH SESSION

S. F. No. 373

Senate Author(s): null

House Action

05/16/2011 Companion to House File No. 654. (Authors:null)

Read First Time and Referred to the Committee on Judiciary Policy and Finance

01/30/2012 Adoption of Report: Pass as Amended and Read Second Time

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, section 541.05, subdivision 1.
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2010, section 541.05, subdivision 1, is amended to read:

1.6 Subdivision 1. ~~Six-year~~ Four-year limitation; exceptions. (a) Except as provided
1.7 in paragraph (b) and where the Uniform Commercial Code otherwise prescribes, the
1.8 following actions shall be commenced within ~~six~~ four years:

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

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

1.13 (3) for a trespass upon real estate;

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

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

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

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

1.23 (8) against sureties upon the official bond of any public officer, whether of the
1.24 state or of any county, town, school district, or a municipality therein; in which case

2.1 the limitation shall not begin to run until the term of such officer for which the bond
2.2 was given shall have expired; or

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

2.4 ~~(10)~~ (b) An action for assault, battery, false imprisonment, or other tort resulting in
2.5 personal injury; shall be commenced within six years if the conduct that gives rise to the
2.6 cause of action also constitutes domestic abuse as defined in section 518B.01.

2.7 **EFFECTIVE DATE.** This section is effective August 1, 2012, and applies to causes
2.8 of action accruing on or after that date.