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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. **3636**

03/12/2018 Authored by Lesch
The bill was read for the first time and referred to the Committee on Civil Law and Data Practices Policy

1.1 A bill for an act
1.2 relating to civil actions; voiding a waiver of liability for ordinary negligence
1.3 involving a consumer service; amending Minnesota Statutes 2016, section 604.055,
1.4 subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2016, section 604.055, subdivision 1, is amended to read:

1.7 Subdivision 1. **Certain agreements are void and unenforceable.** An agreement between
1.8 parties for a consumer service, including a recreational activity, that purports to release,
1.9 limit, or waive the liability of one party for damage, injuries, or death resulting from conduct
1.10 that constitutes ordinary negligence or greater than ordinary negligence is against public
1.11 policy and void and unenforceable.

1.12 The agreement, or portion thereof, is severable from a release, limitation, or waiver of
1.13 liability for damage, injuries, or death resulting from ~~conduct that constitutes ordinary~~
1.14 ~~negligence or for~~ risks that are inherent in a particular activity.

1.15 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to agreements
1.16 first signed or accepted on or after that date.