

69.11

ARTICLE 7

69.12

CIVIL LAW

69.13 Section 1. Minnesota Statutes 2020, section 357.17, is amended to read:

69.14 **357.17 NOTARIES PUBLIC.**

69.15 (a) The maximum fees to be charged and collected by a notary public shall be as follows:

69.16 (1) for protest of nonpayment of note or bill of exchange or of nonacceptance of such
69.17 bill; where protest is legally necessary, and copy thereof, \$5;

69.18 (2) for every other protest and copy, \$5;

69.19 (3) for making and serving every notice of nonpayment of note or nonacceptance of bill
69.20 and copy thereof, \$5;

69.21 (4) for any affidavit or paper for which provision is not made herein, \$5 per folio, and
69.22 \$1 per folio for copies;

69.23 (5) for each oath administered, \$5;

69.24 (6) for acknowledgments of deeds and for other services authorized by law, the legal
69.25 fees allowed other officers for like services;

69.26 (7) for recording each instrument required by law to be recorded by the notary, \$5 per
69.27 folio.

69.28 (b) A notary public may charge a fee for performing a marriage in excess of the fees in
69.29 paragraph (a) if the notary is commissioned pursuant to chapter 359.

70.1 Sec. 2. Minnesota Statutes 2020, section 359.04, is amended to read:

70.2 **359.04 POWERS.**

70.3 Every notary public so appointed, commissioned, and qualified shall have power
70.4 throughout this state to administer all oaths required or authorized to be administered in
70.5 this state; to take and certify all depositions to be used in any of the courts of this state; to
70.6 take and certify all acknowledgments of deeds, mortgages, liens, powers of attorney, and
70.7 other instruments in writing or electronic records; to receive, make out, and record notarial
70.8 protests; to perform civil marriages consistent with this chapter and chapter 517; and to
70.9 perform online remote notarial acts in compliance with the requirements of sections 358.645
70.10 and 358.646.

70.11 Sec. 3. **[359.115] CIVIL MARRIAGE OFFICIANT.**

70.12 A notary public shall have the power to solemnize civil marriages throughout the state
70.13 if the notary public has filed a copy of the notary public's notary commission with the local
70.14 registrar of a county in this state. When a local registrar records a commission for a notary

70.15 public, the local registrar shall provide a certificate of filing to the notary whose commission
70.16 is recorded. A notary public shall endorse and record the county where the notary public's
70.17 commission is recorded upon each certificate of civil marriage granted by the notary.

70.18 Sec. 4. Minnesota Statutes 2020, section 514.977, is amended to read:

70.19 **514.977 ~~DEFAULT~~ ADDITIONAL REMEDIES.**

70.20 Subdivision 1. **Default; breach of rental agreement.** If an occupant defaults in the
70.21 payment of rent for the storage space or otherwise breaches the rental agreement, the owner
70.22 may commence an ~~eviction~~ action ~~under chapter 504B.~~ to terminate the rental agreement,
70.23 recover possession of the storage space, remove the occupant, and dispose of the stored
70.24 personal property. The action shall be conducted in accordance with the Minnesota Rules
70.25 of Civil Procedure except as provided in this section.

70.26 Subd. 2. **Service of summons.** The summons must be served at least seven days before
70.27 the date of the court appearance as provided in subdivision 3.

70.28 Subd. 3. **Appearance.** Except as provided in subdivision 4, in an action filed under this
70.29 section, the appearance shall be not less than seven or more than 14 days from the day of
70.30 issuing the summons.

70.31 Subd. 4. **Expedited hearing.** If the owner files a motion and affidavit stating specific
70.32 facts and instances in support of an allegation that the occupant is causing a nuisance or
71.1 engaging in illegal or other behavior that seriously endangers the safety of others, their
71.2 property, or the storage facility's property, the appearance shall be not less than three days
71.3 nor more than seven days from the date the summons is issued. The summons in an expedited
71.4 hearing shall be served upon the occupant within 24 hours of issuance unless the court
71.5 orders otherwise for good cause shown.

71.6 Subd. 5. **Answer; trial; continuance.** At the court appearance specified in the summons,
71.7 the defendant may answer the complaint, and the court shall hear and decide the action,
71.8 unless it grants a continuance of the trial, which may be for no longer than six days, unless
71.9 all parties consent to longer continuance.

71.10 Subd. 6. **Counterclaims.** The occupant is prohibited from bringing counterclaims in the
71.11 action that are unrelated to the possession of the storage space. Nothing in this section
71.12 prevents the occupant from bringing the claim in a separate action.

71.13 Subd. 7. **Judgment; writ.** Judgment in matters adjudicated under this section shall be
71.14 in accordance with section 504B.345, subdivision 1, paragraph (a). Execution of a writ
71.15 issued under this section shall be in accordance with section 504B.365.

71.16 Sec. 5. Minnesota Statutes 2020, section 517.04, is amended to read:

71.17 **517.04 PERSONS AUTHORIZED TO PERFORM CIVIL MARRIAGES.**

71.18 Civil marriages may be solemnized throughout the state by an individual who has attained
71.19 the age of 21 years and is a judge of a court of record, a retired judge of a court of record,
71.20 a court administrator, a retired court administrator with the approval of the chief judge of
71.21 the judicial district, a former court commissioner who is employed by the court system or
71.22 is acting pursuant to an order of the chief judge of the commissioner's judicial district, a
71.23 notary commissioned pursuant to chapter 359, the residential school superintendent of the
71.24 Minnesota State Academy for the Deaf and the Minnesota State Academy for the Blind, a
71.25 licensed or ordained minister of any religious denomination, or by any mode recognized in
71.26 section 517.18. For purposes of this section, a court of record includes the Office of
71.27 Administrative Hearings under section 14.48.

71.28 Sec. 6. Minnesota Statutes 2020, section 517.08, subdivision 1b, is amended to read:

71.29 Subd. 1b. **Term of license; fee; premarital education.** (a) The local registrar shall
71.30 examine upon oath the parties applying for a license relative to the legality of the
71.31 contemplated civil marriage. Examination upon oath of the parties under this section may
71.32 include contemporaneous video or audio transmission or receipt of a verified statement
72.1 signed by both parties attesting to the legality of the marriage. The local registrar may accept
72.2 civil marriage license applications, signed by both parties, by mail, facsimile, or electronic
72.3 filing. Both parties must present proof of age to the local registrar. If one party is unable to
72.4 appear in person, the party appearing may complete the absent applicant's information. The
72.5 local registrar shall provide a copy of the civil marriage application to the party who is
72.6 unable to appear, who must verify the accuracy of the appearing party's information in a
72.7 notarized statement. The verification statement must be accompanied by a copy of proof of
72.8 age of the party. The civil marriage license must not be released until the verification
72.9 statement and proof of age has been received by the local registrar. If the local registrar is
72.10 satisfied that there is no legal impediment to it, including the restriction contained in section
72.11 259.13, the local registrar shall issue the license, containing the full names of the parties
72.12 before and after the civil marriage, and county and state of residence, with the county seal
72.13 attached, and make a record of the date of issuance. The license shall be valid for a period
72.14 of six months. Except as provided in paragraph (b), the local registrar shall collect from the
72.15 applicant a fee of \$115 for administering the oath, issuing, recording, and filing all papers
72.16 required, and preparing and transmitting to the state registrar of vital records the reports of
72.17 civil marriage required by this section. If the license should not be used within the period
72.18 of six months due to illness or other extenuating circumstances, it may be surrendered to
72.19 the local registrar for cancellation, and in that case a new license shall issue upon request
72.20 of the parties of the original license without fee. A local registrar who knowingly issues or
72.21 signs a civil marriage license in any manner other than as provided in this section shall pay
72.22 to the parties aggrieved an amount not to exceed \$1,000.

72.23 (b) The civil marriage license fee for parties who have completed at least 12 hours of
72.24 premarital education is \$40. In order to qualify for the reduced license fee, the parties must

72.25 submit at the time of applying for the civil marriage license a statement that is signed, dated,
72.26 and notarized or marked with a church seal from the person who provided the premarital
72.27 education on their letterhead confirming that it was received. The premarital education must
72.28 be provided by a licensed or ordained minister or the minister's designee, a person authorized
72.29 to solemnize civil marriages under section 517.18, or a person authorized to practice marriage
72.30 and family therapy under section 148B.33. The education must include the use of a premarital
72.31 inventory and the teaching of communication and conflict management skills.

72.32 (c) The statement from the person who provided the premarital education under paragraph
72.33 (b) must be in the following form:

72.34 "I, (name of educator), confirm that (names of both
72.35 parties) received at least 12 hours of premarital education that included the use of a premarital
73.1 inventory and the teaching of communication and conflict management skills. I am a licensed
73.2 or ordained minister, a person authorized to solemnize civil marriages under Minnesota
73.3 Statutes, section 517.18, or a person licensed to practice marriage and family therapy under
73.4 Minnesota Statutes, section 148B.33."

73.5 The names of the parties in the educator's statement must be identical to the legal names
73.6 of the parties as they appear in the civil marriage license application. Notwithstanding
73.7 section 138.17, the educator's statement must be retained for seven years, after which time
73.8 it may be destroyed.

73.9 (d) If section 259.13 applies to the request for a civil marriage license, the local registrar
73.10 shall grant the civil marriage license without the requested name change. Alternatively, the
73.11 local registrar may delay the granting of the civil marriage license until the party with the
73.12 conviction:

73.13 (1) certifies under oath that 30 days have passed since service of the notice for a name
73.14 change upon the prosecuting authority and, if applicable, the attorney general and no
73.15 objection has been filed under section 259.13; or

73.16 (2) provides a certified copy of the court order granting it. The parties seeking the civil
73.17 marriage license shall have the right to choose to have the license granted without the name
73.18 change or to delay its granting pending further action on the name change request.

73.19 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2021.

73.20 Sec. 7. Minnesota Statutes 2020, section 524.2-503, is amended to read:

73.21 **524.2-503 HARMLESS ERROR.**

73.22 (a) If a document or writing added upon a document was not executed in compliance
73.23 with section 524.2-502, the document or writing is treated as if it had been executed in
73.24 compliance with section 524.2-502 if the proponent of the document or writing establishes
73.25 by clear and convincing evidence that the decedent intended the document or writing to
73.26 constitute:

1.5 Section 1. Minnesota Statutes 2020, section 524.2-503, is amended to read:

1.6 **524.2-503 HARMLESS ERROR.**

1.7 (a) If a document or writing added upon a document was not executed in compliance
1.8 with section 524.2-502, the document or writing is treated as if it had been executed in
1.9 compliance with section 524.2-502 if the proponent of the document or writing establishes
1.10 by clear and convincing evidence that the decedent intended the document or writing to
1.11 constitute:

73.27 (1) the decedent's will;

73.28 (2) a partial or complete revocation of the will;

73.29 (3) an addition to or an alteration of the will; or

73.30 (4) a partial or complete revival of the decedent's formerly revoked will or of a formerly
73.31 revoked portion of the will.

74.1 (b) This section applies to documents and writings executed on or after March 13, 2020;
74.2 ~~but before February 15, 2021.~~

74.3 **EFFECTIVE DATE.** This section is effective retroactively from March 13, 2020, and
74.4 applies to documents and writings executed on or after March 13, 2020.

74.5 Sec. 8. Minnesota Statutes 2020, section 541.073, subdivision 2, is amended to read:

74.6 Subd. 2. **Limitations period.** (a) Except as provided in paragraph (b), an action for
74.7 damages based on sexual abuse: (1) must be commenced within six years of the alleged
74.8 sexual abuse in the case of alleged sexual abuse of an individual 18 years or older; (2) may
74.9 be commenced at any time in the case of alleged sexual abuse of an individual under the
74.10 age of 18, except as provided for in subdivision 4; and (3) must be commenced before the
74.11 plaintiff is 24 years of age in a claim against a natural person alleged to have sexually abused
74.12 a minor when that natural person was under 14 years of age.

74.13 (b) An action for damages based on sexual abuse may be commenced at any time in the
74.14 case of alleged sexual abuse by a peace officer, as defined in section 626.84, subdivision
74.15 1, paragraph (c).

74.16 ~~(b)~~ (c) The plaintiff need not establish which act in a continuous series of sexual abuse
74.17 acts by the defendant caused the injury.

74.18 ~~(c)~~ (d) This section does not affect the suspension of the statute of limitations during a
74.19 period of disability under section 541.15.

74.20 **EFFECTIVE DATE.** (a) This section is effective the day following final enactment.
74.21 Except as provided in paragraph (b), this section applies to actions that were not time-barred
74.22 before the effective date.

74.23 (b) Notwithstanding any other provision of law, in the case of alleged sexual abuse of
74.24 an individual by a peace officer, as defined in Minnesota Statutes, section 626.84, subdivision
74.25 1, paragraph (c), if the action would otherwise be time-barred under a previous version of
74.26 Minnesota Statutes, section 541.073, or other time limit, an action for damages against a
74.27 peace officer may be commenced no later than five years following the effective date of
74.28 this section.

1.12 (1) the decedent's will;

1.13 (2) a partial or complete revocation of the will;

1.14 (3) an addition to or an alteration of the will; or

1.15 (4) a partial or complete revival of the decedent's formerly revoked will or of a formerly
1.16 revoked portion of the will.

1.17 (b) This section applies to documents and writings executed on or after March 13, 2020;
1.18 ~~but before February 15, 2021.~~

1.19 **EFFECTIVE DATE.** This section is effective retroactively from March 13, 2020, and
1.20 applies to documents and writings executed on or after that date.

74.29 Sec. 9. Minnesota Statutes 2020, section 573.02, subdivision 1, is amended to read:

74.30 Subdivision 1. **Death action.** (a) When death is caused by the wrongful act or omission
74.31 of any person or corporation, the trustee appointed as provided in subdivision 3 may maintain
74.32 an action therefor if the decedent might have maintained an action, had the decedent lived,
75.1 for an injury caused by the wrongful act or omission. An action to recover damages for a
75.2 death caused by the alleged professional negligence of a physician, surgeon, dentist, hospital
75.3 or sanitarium, or an employee of a physician, surgeon, dentist, hospital or sanitarium shall
75.4 be commenced within three years of the date of death, but in no event shall be commenced
75.5 beyond the time set forth in section 541.076. An action to recover damages for a death
75.6 caused by an intentional act constituting murder may be commenced at any time after the
75.7 death of the decedent. An action to recover damages for a death caused by a peace officer,
75.8 as defined in section 626.84, subdivision 1, paragraph (c), may be commenced at any time
75.9 after the death of the decedent. Any other action under this section may be commenced
75.10 within three years after the date of death provided that the action must be commenced within
75.11 six years after the act or omission. The recovery in the action is the amount the jury deems
75.12 fair and just in reference to the pecuniary loss resulting from the death, and shall be for the
75.13 exclusive benefit of the surviving spouse and next of kin, proportionate to the pecuniary
75.14 loss severally suffered by the death. The court then determines the proportionate pecuniary
75.15 loss of the persons entitled to the recovery and orders distribution accordingly. Funeral
75.16 expenses and any demand for the support of the decedent allowed by the court having
75.17 jurisdiction of the action, are first deducted and paid. Punitive damages may be awarded as
75.18 provided in section 549.20.

75.19 (b) If an action for the injury was commenced by the decedent and not finally determined
75.20 while living, it may be continued by the trustee for recovery of damages for the exclusive
75.21 benefit of the surviving spouse and next of kin, proportionate to the pecuniary loss severally
75.22 suffered by the death. The court on motion shall make an order allowing the continuance
75.23 and directing pleadings to be made and issues framed as in actions begun under this section.

75.24 **EFFECTIVE DATE.** (a) This section is effective the day following final enactment.
75.25 Except as provided in paragraph (b), this section applies to actions that were not time-barred
75.26 before the effective date.

75.27 (b) Notwithstanding any other provision of law, in the case of a death caused by a peace
75.28 officer, as defined in Minnesota Statutes, section 626.84, subdivision 1, paragraph (c), if
75.29 the action would otherwise be time-barred under a previous version of Minnesota Statutes,
75.30 section 573.02, or other time limit, an action for damages against a peace officer may be
75.31 commenced no later than five years following the effective date of this section.

76.1 Sec. 10. Laws 2020, chapter 118, section 4, is amended to read:

76.2 Sec. 4. **FILING OF MORTGAGE OR DEED OF TRUST THROUGH 2020; PUBLIC**
76.3 **UTILITY.**

76.4 Notwithstanding Minnesota Statutes, section 507.327, ~~for the public utility subject to~~
76.5 ~~Minnesota Statutes, section 116C.7791,~~ the filing of the mortgage or deed of trust executed

1.5 Section 1. Laws 2020, chapter 118, section 4, is amended to read:

1.6 Sec. 4. **FILING OF MORTGAGE OR DEED OF TRUST THROUGH 2020; PUBLIC**
1.7 **UTILITY.**

1.8 Notwithstanding Minnesota Statutes, section 507.327, ~~for the public utility subject to~~
1.9 ~~Minnesota Statutes, section 116C.7791,~~ the filing of the mortgage or deed of trust executed

76.6 between May 1, 2020, and ~~December 31, 2020~~ June 30, 2022, filed in the Office of the
76.7 Secretary of State under Minnesota Statutes, section ~~336.02~~ 336B.02, along with, or as part
76.8 of, the financing statement covering the fixtures, has the same effect, and is notice of the
76.9 rights and interests of the mortgagee or trustee in easements, other less than fee simple
76.10 interests in real estate, and fee simple interests in real estate ~~of the public utility~~ to the same
76.11 extent, as if the mortgage or deed of trust were duly recorded in the office of the county
76.12 recorder or duly registered in the office of the registrar of titles of the counties in which the
76.13 real estate is situated. The effectiveness of the filing terminates at the same time as provided
76.14 in Minnesota Statutes, section 336B.02, subdivision 3, for the termination of the effectiveness
76.15 of fixture filing. Any filing made in accordance with this section shall also be made with
76.16 the office of the county recorder, or duly registered in the office of the registrar of titles, of
76.17 the counties in which the real estate is situated.

76.18 **EFFECTIVE DATE.** This section is effective retroactively from December 30, 2020.

1.10 between May 1, 2020, and ~~December 31, 2020~~ June 30, 2022, filed in the Office of the
1.11 Secretary of State under Minnesota Statutes, section ~~336.02~~ 336B.02, along with, or as part
1.12 of, the financing statement covering the fixtures, has the same effect, and is notice of the
1.13 rights and interests of the mortgagee or trustee in easements, other less than fee simple
1.14 interests in real estate, and fee simple interests in real estate ~~of the public utility~~ to the same
1.15 extent, as if the mortgage or deed of trust were duly recorded in the office of the county
1.16 recorder or duly registered in the office of the registrar of titles of the counties in which the
1.17 real estate is situated. The effectiveness of the filing terminates at the same time as provided
1.18 in Minnesota Statutes, section 336B.02, subdivision 3, for the termination of the effectiveness
1.19 of fixture filing. Any filing made in accordance with this section shall also be made with
1.20 the office of the county recorder, or duly registered in the office of the registrar of titles, of
1.21 the counties in which the real estate is situated.

1.22 **EFFECTIVE DATE.** This section is effective retroactively from December 30, 2020.