

542.03 OFFICIAL MISCONDUCT, WHERE CAUSE AROSE.

Subdivision 1. **Venue.** Except as provided in subdivision 2, actions against a public officer, or person specially appointed to execute a public officer's duties, for acts done by virtue of the office, and against any person for like cause who has acted in place or in aid of the officer, and actions to recover penalties or forfeitures imposed by statute, shall be tried in the county in which the cause of action arose. If the act for which the penalty or forfeiture is imposed is committed upon a lake or stream extending into, or bordering upon, more than one county, the action may be tried in any of these counties.

Subd. 2. **Bringing action; venue; factors.** The trial of any action against a state official for acts affecting the use of land or waters of the state may, in the discretion of the court, be tried in the county where the land or water is located, whether or not the state official resides in that county, on motion made to the court in that county by any party to the action if the court finds (1) that trial of the action in that county is in the interests of justice, (2) that no party to the action will be prejudiced thereby and (3) that the trial of the action will be expedited. The motion may be submitted on pleadings mailed to the court without the necessity of personal appearance.

History: (9208) *RL s 4090; 1980 c 598 s 2; 1986 c 444*