246B.09 CLAIM AGAINST ESTATE OF DECEASED CIVILLY COMMITTED SEX OFFENDER.

Subdivision 1. **Estate of a civilly committed sex offender.** Upon the death of a civilly committed sex offender, or a former civilly committed sex offender, the total cost of care provided to the individual, less the amount actually paid toward the cost of care by the civilly committed sex offender, must be filed by the executive board as a claim against the estate of the civilly committed sex offender with the court having jurisdiction to probate the estate, and all proceeds collected by the state in the case must be divided between the state and county in proportion to the cost of care each has borne.

Subd. 2. **Preferred status.** An estate claim in subdivision 1 must be considered an expense of the last illness for purposes of section 524.3-805.

If the executive board determines that the property or estate of a civilly committed sex offender is not more than needed to care for and maintain the spouse and minor or dependent children of a deceased civilly committed sex offender, the executive board has the power to compromise the claim of the state in a manner deemed just and proper.

Subd. 3. **Exception from statute of limitations.** Any statute of limitations that limits the executive board in recovering the cost of care obligation incurred by a civilly committed sex offender or former civilly committed sex offender must not apply to any claim against an estate made under this section to recover cost of care.

History: *2009 c 79 art 3 s 15; 2010 c 300 s 17; 2024 c 79 art 10 s 3*