604.12 RESTRICTIONS ON DENYING ACCESS TO PLACES OF PUBLIC ACCOMMODATION; CIVIL ACTIONS.

Subdivision 1. **Definitions.** As used in this section:

(1) "place of public accommodation" has the meaning given in section 363A.03, subdivision 34, but excludes recreational trails;

(2) "criminal gang" has the meaning given in section 609.229, subdivision 1; and

(3) "obscene" has the meaning given in section 617.241, subdivision 1.

Subd. 2. **Prohibition.** (a) A place of public accommodation may not restrict access, admission, or usage to a person solely because the person operates a motorcycle or is wearing clothing that displays the name of an organization or association.

(b) This subdivision does not prohibit the restriction of access, admission, or usage to a person because:

(1) the person's conduct poses a risk to the health or safety of another or to the property of another; or

(2) the clothing worn by the person is obscene or includes the name or symbol of a criminal gang.

Subd. 3. **Civil cause of action.** A person injured by a violation of subdivision 2 may bring an action for actual damages, punitive damages under sections 549.191 and 549.20 in an amount not to exceed $500, injunctive relief, and reasonable attorney fees in an amount not to exceed $500.

Subd. 4. **Violation not a crime.** Notwithstanding section 645.241, a violation of subdivision 2 is not a crime.

History: *1998 c 367 art 11 s 18*