CHAPTER 541

LIMITATION OF TIME, COMMENCING ACTIONS

541.01 APPLICATION TO STATE AND OTHER STATES; EXCEPTIONS.
541.02 RECOVERY OF REAL ESTATE, 15 YEARS.
541.023 ACTIONS AFFECTING TITLE TO REAL ESTATE.
541.024 LIMITATION OF ACTIONS AFFECTING TITLE TO OR POSSESSION OF TAX-FORFEITED LANDS.
541.03 FORECLOSURE OF REAL ESTATE MORTGAGE.
541.04 JUDGMENTS, TEN YEARS.
541.05 VARIOUS CASES, SIX YEARS.
541.051 LIMITATION OF ACTION FOR DAMAGES BASED ON SERVICES OR CONSTRUCTION TO IMPROVE REAL PROPERTY.
541.052 LIMITATION OF ACTIONS FOR DAMAGES BASED ON ERRORS IN LAND SURVEYS.
541.053 LIMITATION OF ACTIONS BASED ON CONSUMER DEBT.
541.06 SHERIFFS, CORONERS; FORFEITURES, THREE YEARS.
541.07 TWO- OR THREE-YEAR LIMITATIONS.
541.072 SPECIAL LIMITATION.
541.073 ACTIONS FOR DAMAGES DUE TO SEXUAL ABUSE; SPECIAL PROVISIONS.
541.074 CIVIL REMEDY IN RACKETEERING CASES.
541.075 REMEDIES IN ENVIRONMENTAL ACTIONS.
541.076 HEALTH CARE PROVIDER ACTIONS.
541.08 LOCAL IMPROVEMENT CERTIFICATES; LIMITATION; LIEN SUPERSEDED.
541.09 ACTION TO BE COMMENCED WITHIN ONE YEAR.
541.10 MUTUAL ACCOUNTS.
541.115 ACTIONS RELATING TO MAINTENANCE OF WATER LEVELS.
541.13 ABSENCE FROM STATE.
541.15 PERIODS OF DISABILITY NOT COUNTED.
541.16 PERIOD BETWEEN DEATH OF PARTY AND COMMENCEMENT OF ACTION.
541.17 NEW PROMISE MUST BE IN WRITING.
541.18 NEW ACTION IN CASE OF REVERSAL.
541.20 RECOVERY OF MONEY LOST.
541.21 COMMITMENTS FOR GAMBLING DEBT VOID.
541.22 LIMITATION ON ASBESTOS CLAIMS.

UNIFORM CONFLICT OF LAWS - LIMITATIONS ACT

541.30 DEFINITIONS.
541.31 CONFLICT OF LAWS; LIMITATION PERIODS.
541.32 RULES APPLICABLE TO COMPUTATION OF LIMITATION PERIOD.
541.33 UNFAIRNESS.
541.34 EXISTING AND FUTURE CLAIMS.
541.35 UNIFORMITY OF APPLICATION AND CONSTRUCTION.
541.36 SHORT TITLE.

541.01 APPLICATION TO STATE AND OTHER STATES; EXCEPTIONS.

Actions can only be commenced within the periods prescribed in this chapter, after the cause of action accrues, except where a different limitation is prescribed by the Uniform Commercial Code or, in special cases, by other statute; provided that a cause of action for sales or use taxes imposed by any other state shall be deemed to have accrued at the time such tax first becomes due and payable.

Such limitation shall apply to actions by or in behalf of the state and the several political subdivisions thereof; provided that no occupant of a public way, levee, square, or other ground dedicated or appropriated to public use shall acquire, by reason of occupancy, any title thereto.

No occupant of the land of a public or private cemetery shall acquire any title to the cemetery land by reason of the occupancy.

History: *(9185, 9186) RL s 4071,4072; 1963 c 749 s 1; 1965 c 812 s 19; 1981 c 26 s 3; 1986 c 444*

541.02 RECOVERY OF REAL ESTATE, 15 YEARS.

No action for the recovery of real estate or the possession thereof shall be maintained unless it appears that the plaintiff, the plaintiff's ancestor, predecessor, or grantor was seized or possessed of the premises in question within 15 years before the beginning of the action.

Such limitations shall not be a bar to an action for the recovery of real estate assessed as tracts or parcels separate from other real estate, unless it appears that the party claiming title by adverse possession or the party's ancestor, predecessor, or grantor, or all of them together, shall have paid taxes on the real estate in question at least five consecutive years of the time during which the party claims these lands to have been occupied adversely.

The provisions of the preceding paragraph shall not apply to actions relating to the boundary line of lands, which boundary lines are established by adverse possession, or to actions concerning lands included between the government or platted line and the line established by such adverse possession, or to lands not assessed for taxation.

History: *(9187) RL s 4073; 1913 c 239 s 1; 1986 c 444*

541.023 ACTIONS AFFECTING TITLE TO REAL ESTATE.

Subdivision 1. **Commencement.** As against a claim of title based upon a source of title, which source has then been of record at least 40 years, no action affecting the possession or title of any real estate shall be commenced by a person, partnership, corporation, other legal entity, state, or any political division thereof, to enforce any right, claim, interest, incumbrance, or lien founded upon any instrument, event or transaction which was executed or occurred more than 40 years prior to the commencement of such action, unless within 40 years after such execution or occurrence there has been recorded in the office of the county recorder in the county in which the real estate affected is situated, a notice sworn to by the claimant or the claimant's agent or attorney setting forth the name of the claimant, a description of the real estate affected and of the instrument, event or transaction on which such claim is founded, and stating whether the right, claim, interest, incumbrance, or lien is mature or immature. If such notice relates to vested or contingent rights claimed under a condition subsequent or restriction it shall affirmatively show why such condition or restriction is not, or has not become nominal so that it may be disregarded under the provisions of section 500.20, subdivision 1.

Subd. 2. **Application.** (a) This section shall apply to every right, claim, interest, incumbrance, or lien founded by any instrument, event, or transaction that is at least 40 years old.

(b) This section applies to repurchase options or other rights of repurchase that encumber an interest in land based upon an instrument other than a deed of conveyance granted by a governmental body, agency, or subdivision, unless within 40 years of the recording of the instrument a notice is recorded under subdivision 1. This paragraph does not revive repurchase options or rights of repurchase barred by subdivision 1.

(c) This section does not apply to actions to enforce rights, claims, interests, encumbrances, or liens arising out of private covenants, conditions, or restrictions to which section 500.20, subdivision 2a, or successor statutes do not apply.

Subd. 2a. **Registered property not affected.** (a) Except as provided in paragraph (b), this section does not apply to real property while it remains registered according to chapter 508 or 508A.

(b) This subdivision does not affect an action or proceeding involving the validity of a claim of title based upon a source of title which has been of record at least 40 years if:

(i) the action or proceeding is pending on August 1, 2001, or is commenced before February 1, 2002; and

(ii) a notice of the pendency of the action or proceeding is recorded before February 1, 2002, in the office of the registrar of titles of the county in which the real property affected by the action or proceeding is located.

Subd. 3. **Extent of section.** This section does not extend the right to commence any action beyond the date at which such right would be extinguished by any other statute.

Subd. 4. **Notices, recording; fee.** County recorders are hereby directed to accept for recording notices conforming with the provisions hereof, and to charge therefor fees corresponding with the fees charged for recording notices of lis pendens of similar length. Such notices may be discharged in the same manner as notices of lis pendens, and, when so discharged, shall, together with all information included therein, cease to constitute either actual or constructive notice.

Subd. 5. **Abandonment presumed.** Any claimant under any instrument, event or transaction barred by the provisions of this section shall be conclusively presumed to have abandoned all right, claim, interest, incumbrance, or lien based upon such instrument, event, or transaction; and the title in the name of any adverse claimant to the real estate which would otherwise be affected thereby shall not be deemed unmarketable by reason of the existence of such instrument, event, or transaction; it being hereby declared as the policy of the state of Minnesota that, except as herein provided, ancient records shall not fetter the marketability of real estate.

Subd. 6. **Limitations; certain titles not affected.** This section shall not affect any rights of the federal government; nor increase the effect as notice, actual or constructive, of any instrument now of record; nor bar the rights of any person, partnership, state agency or department, or corporation in possession of real estate. This section shall not impair the record title or record interest, or title obtained by or through any congressional or legislative grant, of any railroad corporation or other public service corporation or any trustee or receiver thereof or of any educational or religious corporation in any real estate by reason of any failure to record further evidence of such title or interest even though the record thereof is now or hereafter more than 40 years old; nor shall this section require the recording of any notice as provided for in this section as to any undischarged mortgage or deed of trust executed by any such corporation or any trustee or receiver thereof or to any claim or action founded upon any such undischarged mortgage or deed of trust. The exceptions of this subdivision shall not include (1) reservations or exceptions of land for right-of-way or other railroad purposes contained in deeds of conveyance made by a railroad company or by trustees or receivers thereof, unless said reserved or excepted land shall have been put to railroad use within 40 years after the date of said deeds of conveyance, (2) nor any rights under any conditions subsequent or restrictions contained in any such deeds of conveyance.

Subd. 7. **Source of title.** For the purposes of this section, the words "source of title" as used in subdivision 1 hereof shall mean any deed, judgment, decree, sheriff's certificate, or other instrument which transfers or confirms, or purports to transfer or confirm, a fee simple title to real estate, including any such instrument which purports to transfer, or to confirm the transfer of a fee simple title from a person who was not the record owner of the real estate. However, any such instrument which purports to transfer, or to confirm the transfer of, a fee simple title from a person who was not the record owner of the real estate to the grantee or transferee named in such instrument shall be deemed a source of title "of record at least 40 years" within the meaning of subdivision 1 only if, during the period of 40 years after it was recorded, the following two conditions are fulfilled: (1) another instrument was recorded which purports to transfer a fee simple title from said grantee or transferee to another person and (2) no instrument was recorded which purports to be or confirm a transfer of any interest in the real estate by or from whoever was the record owner in fee simple

immediately before the commencement of said period of 40 years. The purpose of the next preceding sentence is to limit the effect of erroneous descriptions or accidental conveyances.

History: *1943 c 529; 1945 c 124 s 1; 1947 c 118 s 1; 1959 c 492 s 1; 1976 c 181 s 2; 1986 c 444; 1989 c 229 s 4; 1993 c 222 art 5 s 4; 2001 c 7 s 86; 2001 c 50 s 31-36; 2005 c 4 s 125-128; 2009 c 86 art 1 s 80; 2023 c 52 art 19 s 29*

541.024 LIMITATION OF ACTIONS AFFECTING TITLE TO OR POSSESSION OF TAX-FORFEITED LANDS.

Subdivision 1. **Limitation.** As against a real estate title based upon or derived from a county auditor's certificate of forfeiture, or auditor's certificate of sale or state assignment certificate which has been of record for at least four years in the office of the county recorder or in the office of the registrar of titles, no action affecting the possession or title of the real estate shall be commenced on or after June 15, 1978, to enforce any adverse right, claim, interest, incumbrance, or lien, based upon the alleged invalidity of the county auditor's certificate of forfeiture, or auditor's certificate of sale or state assignment certificate.

Subd. 2. **Not affect.** This section shall not affect any rights of the federal government or any rights of a person in actual, open, hostile, notorious, and exclusive possession of the real estate on the date of the placing of record of the county auditor's certificate of forfeiture, auditor's certificate of sale or state assignment certificate and continuously thereafter to the time of the commencement of an action.

Subd. 3. **Abandonment of right.** A claimant under any instrument, event or transaction barred by this section shall be conclusively presumed to have abandoned all right, claim, interest, incumbrance or lien based thereon; and the title based upon or derived from the county auditor's certificate of forfeiture, auditor's certificate of sale, or state assignment certificate shall be deemed marketable. It is the policy of the state of Minnesota that, except as provided by Laws 1977, Chapter 265, unadjudicated adverse rights shall not fetter the marketability of tax titles of real estate.

Subd. 4. **Limit of extension of right.** This section does not extend the right to commence any action beyond the date on which the right would be extinguished under section 284.28 or any other law.

Subd. 5. **Auditor certificates.** This section applies to real estate titles based upon or derived from a county auditor's certificate of forfeiture, or auditor's certificate of sale, or state assignment certificate issued prior to June 15, 1977.

History: *1977 c 265 s 2; 1980 c 543 s 9*

541.03 FORECLOSURE OF REAL ESTATE MORTGAGE.

Subdivision 1. **Limitation.** No action or proceeding to foreclose a real estate mortgage, whether by action or advertisement or otherwise, shall be maintained unless commenced within 15 years from the maturity of the whole of the debt secured by the mortgage, and this limitation shall not be extended by the nonresidence of any plaintiff or defendant or any party interested in the land upon which the mortgage is a lien in any action commenced to foreclose such mortgage, nor by reason of any payment made after such maturity, nor by reason of any extension of the time of payment of the mortgage or the debt or obligation thereby secured or any portion thereof, unless such extension shall be in writing and shall have been recorded in the same office in which the original mortgage is recorded, within the limitation period herein provided, or prior to the expiration of any previously recorded extension of such mortgage or debt, nor by reason of any disability of any party interested in the mortgage.

Subd. 2. **When time begins to run; commencement of proceedings.** The time within which any such action or proceeding may be commenced shall begin to run from the date of such mortgage, unless the time of the maturity of the debt or obligation secured by such mortgage shall be clearly stated in such mortgage. Any action or proceeding to foreclose a real estate mortgage, whether by action, by advertisement, or otherwise, commenced within the period of limitation herein provided, may be prosecuted to completion notwithstanding the expiration of the period of limitation, and proceedings to foreclose a real estate mortgage by advertisement shall be deemed commenced on the date of the first publication of the notice of sale.

History: *(9188, 9189) 1909 c 181 s 1,2*

541.04 JUDGMENTS, TEN YEARS.

No action shall be maintained upon a judgment or decree of a court of the United States, or of any state or territory thereof, unless begun within ten years after the entry of such judgment.

History: *(9190) RL s 4075; 2010 c 238 s 4,7; 2010 c 371 s 5; 2011 c 66 s 8; 2012 c 183 s 1; 2012 c 216 art 1 s 45*

541.05 VARIOUS CASES, SIX YEARS.

Subdivision 1. **Six-year limitation.** Except where the Uniform Commercial Code otherwise prescribes, the following actions shall be commenced within six years:

(1) upon a contract or other obligation, express or implied, as to which no other limitation is expressly prescribed;

(2) upon a liability created by statute, other than those arising upon a penalty or forfeiture or where a shorter period is provided by section 541.07;

(3) for a trespass upon real estate;

(4) for taking, detaining, or injuring personal property, including actions for the specific recovery thereof;

(5) for criminal conversation, or for any other injury to the person or rights of another, not arising on contract, and not hereinafter enumerated;

(6) for relief on the ground of fraud, in which case the cause of action shall not be deemed to have accrued until the discovery by the aggrieved party of the facts constituting the fraud;

(7) against sureties upon the official bond of any public officer, whether of the state or of any county, town, school district, or a municipality therein; in which case the limitation shall not begin to run until the term of such officer for which the bond was given shall have expired;

(8) for damages caused by a dam, used for commercial purposes; or

(9) for assault, battery, false imprisonment, or other tort resulting in personal injury, if the conduct that gives rise to the cause of action also constitutes domestic abuse as defined in section 518B.01.

Subd. 2. **Strict liability.** Unless otherwise provided by law, any action based on the strict liability of the defendant and arising from the manufacture, sale, use or consumption of a product shall be commenced within four years.

History: *(9191) RL s 4076; 1953 c 378 s 1; 1965 c 812 s 20; 1978 c 738 s 1; 1986 c 444; 2000 c 471 s 1; 2015 c 5 art 15 s 18*

541.051 LIMITATION OF ACTION FOR DAMAGES BASED ON SERVICES OR CONSTRUCTION TO IMPROVE REAL PROPERTY.

Subdivision 1. **Limitation; service or construction of real property; improvements.** (a) Except where fraud is involved, no action by any person in contract, tort, or otherwise to recover damages for any injury to property, real or personal, or for bodily injury or wrongful death, arising out of the defective and unsafe condition of an improvement to real property, shall be brought against any person performing or furnishing the design, planning, supervision, materials, or observation of construction or construction of the improvement to real property or against the owner of the real property more than two years after the cause of action accrues, as specified in paragraph (c), nor in any event shall such a cause of action accrue more than ten years after substantial completion of the construction. Date of substantial completion shall be determined by the date when construction is sufficiently completed so that the owner or the owner's representative can occupy or use the improvement for the intended purpose.

(b) Notwithstanding paragraph (a), an action for contribution or indemnity arising out of the defective and unsafe condition of an improvement to real property may be brought no later than two years after the cause of action for contribution or indemnity has accrued, regardless of whether it accrued before or after the ten-year period referenced in paragraph (a), provided that in no event may an action for contribution or indemnity be brought more than 14 years after substantial completion of the construction.

(c) For purposes of determining only when the statute of limitations begins to run pursuant to paragraph (a), a cause of action accrues: (1) for a bodily injury or wrongful death action, upon discovery of the injury; and (2) for an action for injury to real or personal property, upon discovery of the injury, but in no event does a cause of action accrue earlier than substantial completion, termination, or abandonment of the construction or the improvement to real property. For purposes of paragraph (b), a cause of action for contribution or indemnity accrues upon the earlier of commencement of the action against the party seeking contribution or indemnity, or payment of a final judgment, arbitration award, or settlement arising out of the defective and unsafe condition.

(d) Nothing in this section shall apply to actions for damages resulting from negligence in the maintenance, operation or inspection of the real property improvement against the owner or other person in possession.

(e) The limitations prescribed in this section do not apply to the manufacturer or supplier of any equipment or machinery installed upon real property.

Subd. 2. **Action allowed; limitation.** Notwithstanding the provisions of subdivision 1, paragraph (a), in the case of a cause of action described in subdivision 1, paragraph (a), which accrues during the ninth or tenth year after substantial completion of the construction, an action to recover damages may be brought within two years after the date on which the cause of action accrued, but in no event may such an action be brought more than 12 years after substantial completion of the construction. Nothing in this subdivision shall limit the time for bringing an action for contribution or indemnity.

Subd. 3. **Not construed.** Nothing in this section shall be construed as extending the period prescribed by the laws of this state for the bringing of any action.

Subd. 4. **Applicability.** For the purposes of actions based on breach of the statutory warranties set forth in section 327A.02, or to actions based on breach of an express written warranty, such actions shall be brought within two years of the discovery of the breach. In the case of an action under section 327A.05, which accrues during the ninth or tenth year after the warranty date, as defined in section 327A.01, subdivision 8, an action may be brought within two years of the discovery of the breach, but in no event may an action under section 327A.05 be brought more than 12 years after the effective warranty date. An action for

contribution or indemnity arising out of actions described in this subdivision may be brought no later than two years after the earlier of commencement of the action against the party seeking contribution or indemnity, or payment of a final judgment, arbitration award, or settlement arising out of the breach, provided that in no event may an action for contribution or indemnity arising out of an action described in section 327A.05 be brought more than 14 years after the effective warranty date.

History: *1965 c 564 s 1; 1977 c 65 s 8; 1980 c 518 s 2-4; 1986 c 444; 1986 c 455 s 92; 1988 c 607 s 1; 1990 c 555 s 13; 2004 c 196 s 1; 2007 c 105 s 4; 2007 c 140 art 8 s 29; 2013 c 21 s 1; 2018 c 116 s 1*

541.052 LIMITATION OF ACTIONS FOR DAMAGES BASED ON ERRORS IN LAND SURVEYS.

Subdivision 1. **Land surveys.** Except where fraud is involved, no action to recover damages for an error in the survey of land, nor any action for contribution or indemnity for damages sustained on account of an error, may be brought against any person performing the survey more than two years after the discovery of the error, nor in any event more than ten years after the date of the survey.

Subd. 2. **Action allowed.** Notwithstanding the provisions of subdivision 1, in the case of action which occurs during the ninth or tenth year after the date of the survey, an action to recover damages may be brought within two years after the date on which the action occurred, but in no event may an action be brought more than 12 years after the date of the survey.

History: *1986 c 455 s 93*

541.053 LIMITATION OF ACTIONS BASED ON CONSUMER DEBT.

Notwithstanding section 541.31, subdivision 1, actions upon an obligation arising out of a consumer debt primarily for personal, family, or household purposes shall be commenced within six years. After its expiration, the statute of limitations is not revived by the collection of a payment on an account, a discharge in a bankruptcy proceeding, or an oral or written reaffirmation of the debt.

History: *2013 c 104 s 2*

541.06 SHERIFFS, CORONERS; FORFEITURES, THREE YEARS.

The following actions shall be commenced within three years: against a sheriff or coroner for any act done in an official capacity and in virtue of an office, or for any omission of an official duty, including the nonpayment of money collected or received on a judgment or execution.

History: *(9192) RL s 4077; 1953 c 378 s 2; 1986 c 444; 2005 c 10 art 2 s 4*

541.07 TWO- OR THREE-YEAR LIMITATIONS.

Except where the Uniform Commercial Code, this section, section 541.05, 541.073, 541.076, or 604.205 otherwise prescribes, the following actions shall be commenced within two years:

(1) for libel, slander, assault, battery, false imprisonment, or other tort resulting in personal injury, and all actions against veterinarians as defined in chapter 156, for malpractice, error, mistake, or failure to cure, whether based on contract or tort; provided a counterclaim may be pleaded as a defense to any action for services brought by a veterinarian after the limitations period if it was the property of the party pleading it at the time it became barred and was not barred at the time the claim sued on originated, but no judgment thereof except for costs can be rendered in favor of the party so pleading it;

(2) upon a statute for a penalty or forfeiture, except as provided in sections 541.074 and 541.075;

(3) for damages caused by a dam, other than a dam used for commercial purposes; but as against one holding under the preemption or homestead laws, the limitations shall not begin to run until a patent has been issued for the land so damaged;

(4) against a master for breach of an indenture of apprenticeship; the limitation runs from the expiration of the term of service;

(5) for the recovery of wages or overtime or damages, fees, or penalties accruing under any federal or state law respecting the payment of wages or overtime or damages, fees, or penalties except, that if the employer fails to submit payroll records by a specified date upon request of the Department of Labor and Industry or if the nonpayment is willful and not the result of mistake or inadvertence, the limitation is three years. (The term "wages" means all remuneration for services or employment, including commissions and bonuses and the cash value of all remuneration in any medium other than cash, where the relationship of master and servant exists and the term "damages" means single, double, or treble damages, accorded by any statutory cause of action whatsoever and whether or not the relationship of master and servant exists);

(6) for damages caused by the establishment of a street or highway grade or a change in the originally established grade;

(7) against the person who applies the pesticide for injury or damage to property resulting from the application, but not the manufacture or sale, of a pesticide.

History: *(9193) RL s 4078; 1925 c 113 s 1; 1935 c 80 s 1; 1945 c 513 s 1; 1953 c 378 s 3; 1955 c 843 s 1; 1963 c 749 s 2; 1965 c 812 s 21; 1978 c 738 s 2; 1982 c 546 s 2; 1984 c 608 s 4; 1989 c 190 s 1; 1989 c 286 s 1; 1990 c 419 s 1; 1992 c 511 art 7 s 23; 1997 c 213 art 3 s 1; 1999 c 23 s 1; 2000 c 471 s 2*

541.071 [Obsolete]

541.072 SPECIAL LIMITATION.

An action to recover damages heretofore caused by the establishment of a street or highway grade or a change in the originally established grade may be brought within the time prescribed in section 541.07 or within six months after April 25, 1955, whichever is the longer period.

History: *1955 c 843 s 2*

541.073 ACTIONS FOR DAMAGES DUE TO SEXUAL ABUSE; SPECIAL PROVISIONS.

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

(1) "sexual abuse" means conduct described in sections 609.342 to 609.3451 and 609.3458; and

(2) "person" includes a natural person, corporation, limited liability company, partnership, organization, association, or other entity.

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

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

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

Subd. 3. **Applicability.** This section applies to an action for damages commenced against a person who was a cause of the plaintiff's damages either by (1) committing sexual abuse against the plaintiff, or (2) negligence.

Subd. 4. **Vicarious liability or respondeat superior claims.** A claim for vicarious liability or liability under the doctrine of respondeat superior must be commenced within six years of the alleged sexual abuse, provided that if the plaintiff was under the age of 18 at the time of the alleged abuse, the claim must be commenced before the plaintiff is 24 years of age. This subdivision does not limit the availability of these claims under other law.

Subd. 5. **Title.** This section may be cited as the "Child Victims Act."

History: *1989 c 190 s 2; 1991 c 232 s 1; 2013 c 89 s 1; 1Sp2021 c 11 art 4 s 31*

541.074 CIVIL REMEDY IN RACKETEERING CASES.

A civil proceeding under section 609.911 shall be commenced within five years.

History: *1989 c 286 s 2*

541.075 REMEDIES IN ENVIRONMENTAL ACTIONS.

A proceeding to impose a penalty or forfeiture under sections 103F.701 to 103F.755 or chapter 115, 116, or 299K must be commenced within three years of the date the violation was discovered or reasonably should have been discovered.

History: *1990 c 391 art 10 s 3; 1990 c 419 s 2; 2011 c 107 s 107*

541.076 HEALTH CARE PROVIDER ACTIONS.

(a) For purposes of this section, "health care provider" means a physician, surgeon, dentist, occupational therapist, other health care professionals as defined in section 145.61, hospital, or treatment facility.

(b) An action by a patient or former patient against a health care provider alleging malpractice, error, mistake, or failure to cure, whether based on a contract or tort, must be commenced within four years from the date the cause of action accrued.

(c) A counterclaim may be pleaded as a defense to any action for services brought by a health care provider after the limitations described in this section, notwithstanding it is barred by the provisions of this chapter, if the counterclaim belonged to the party pleading it at the time it became barred and was not barred at the time the claim sued on originated, but no judgment on the counterclaim except for costs can be rendered in favor of the party so pleading it.

History: *1999 c 23 s 2*

541.08 LOCAL IMPROVEMENT CERTIFICATES; LIMITATION; LIEN SUPERSEDED.

No action for the refundment or recovery of moneys paid on account of the purchase of any valid or invalid certificate of sale for a local improvement assessment, heretofore or hereafter issued by any city in

this state now or hereafter having a population of over 50,000, shall be maintained after the expiration of two years from the date when notice of expiration of the period of redemption of the property described in such certificate from the sale evidenced thereby could have lawfully been given; nor shall such action be maintained in any case where the person claiming under such certificate of sale has permitted the lien evidenced by such certificate to be superseded, avoided, or cut out by a subsequent or superior lien arising either from the levy of taxes for general purposes or from the levy of a duly authorized local improvement assessment.

History: *(9194) 1907 c 183 s 1*

541.09 ACTION TO BE COMMENCED WITHIN ONE YEAR.

Subdivision 1. **Instrument authorizing a confession.** No action shall be maintained upon any judgment note or other instrument, heretofore or hereafter executed, containing any provision authorizing a confession of judgment thereon, unless begun within one year after the cause of action shall have accrued.

Subd. 2. **Action upon judgment from United States court.** No action shall be maintained upon any judgment or decree of any court of the United States, or of any state or territory thereof, heretofore or hereafter entered upon a plea of confession under any warrant of attorney or other instrument signed by the debtor authorizing such confession, unless the action upon such judgment be begun within one year after the rendition or entry thereof.

History: *(9195, 9196) 1915 c 222 s 1,2*

541.10 MUTUAL ACCOUNTS.

If the action is to recover a balance due upon a mutual, open, and current account, and there have been reciprocal demands between the parties, the limitation shall begin to run from the date of the last item proved on either side.

History: *(9197) RL s 4079*

541.11 MS 1949 [Repealed, 1953 c 378 s 5]

541.115 ACTIONS RELATING TO MAINTENANCE OF WATER LEVELS.

No action or proceeding against the state of Minnesota or its officers or agents shall be maintained on account of the construction, reconstruction, operation, or maintenance of any dam or appurtenant structures designed to maintain water levels above natural ordinary high or on account of the maintenance of such levels, where such levels have been maintained for a period of 15 years or more prior to January 1, 1941.

History: *1941 c 409 s 1*

541.12 MS 1949 [Repealed, 1974 c 394 s 12]

541.13 ABSENCE FROM STATE.

When a cause of action accrues against a person who is out of the state and while out of the state is not subject to process under the laws of this state or after diligent search the person cannot be found for the purpose of personal service when personal service is required, an action may be commenced within the times herein limited after the person's return to the state; and if, after a cause of action accrues, the person departs from and resides out of the state and while out of the state is not subject to process under the laws of this state or after diligent search the person cannot be found for the purpose of personal service when

personal service is required, the time of the person's absence is not part of the time limited for the commencement of the action.

History: *(9200) RL s 4082; 1976 c 153 s 1; 1986 c 444*

541.14 MS 1976 [Repealed, 1977 c 187 s 1]

541.15 PERIODS OF DISABILITY NOT COUNTED.

(a) Except as provided in paragraph (b), any of the following grounds of disability, existing at the time when a cause of action accrued or arising anytime during the period of limitation, shall suspend the running of the period of limitation until the same is removed; provided that such period, except in the case of infancy, shall not be extended for more than five years, nor in any case for more than one year after the disability ceases:

(1) that the plaintiff is within the age of 18 years;

(2) the plaintiff's insanity;

(3) is an alien and the subject or citizen of a country at war with the United States;

(4) when the beginning of the action is stayed by injunction or by statutory prohibition.

If two or more disabilities shall coexist, the suspension shall continue until all are removed.

(b) In actions alleging malpractice, error, mistake, or failure to cure, whether based on contract or tort, against a health care provider, the ground of disability specified in paragraph (a), clause (1), suspends the period of limitation until the disability is removed. The suspension may not be extended for more than seven years, or for more than one year after the disability ceases.

For purposes of this paragraph, health care provider means a physician, surgeon, dentist, or other health care professional or hospital, including all persons or entities providing health care as defined in section 145.61, subdivisions 2 and 4, or a certified health care professional employed by or providing services as an independent contractor in a hospital.

History: *(9202) RL s 4084; 1949 c 304 s 1; 1973 c 725 s 81; 1974 c 384 s 2; 1986 c 444; 1986 c 455 s 79; 1993 c 326 art 8 s 14*

541.16 PERIOD BETWEEN DEATH OF PARTY AND COMMENCEMENT OF ACTION.

If the death of a person occurs within the last year of the period of limitation for the commencement of an action, the action may be commenced by the personal representative at any time within one year after such death. If a cause of action survives against a decedent, which is not required by law to be presented as a claim against the decedent's estate, an action may be brought thereon against the personal representative of the decedent at any time within one year after death or within the limitation period otherwise prescribed, whichever is longer.

History: *(9203) RL s 4085; 1975 c 347 s 141*

541.17 NEW PROMISE MUST BE IN WRITING.

No acknowledgment or promise shall be evidence of a new or continuing contract sufficient to take the case out of the operation of this chapter unless the same is contained in some writing signed by the party to be charged thereby; but this section shall not alter the effect of a payment of principal or interest.

History: *(9204) RL s 4086*

541.18 NEW ACTION IN CASE OF REVERSAL.

Except where the Uniform Commercial Code otherwise prescribes, if judgment be recovered by plaintiff in an action begun within the prescribed period of limitation and such judgment be afterward arrested or reversed on error or appeal, the plaintiff may begin a new action within one year after such reversal or arrest.

History: *(9205) RL s 4087; 1965 c 812 s 22*

541.20 RECOVERY OF MONEY LOST.

Every person who, by playing at cards, dice, or other game, or by betting on the hands or sides of such as are gambling, shall lose to any person so playing or betting any sum of money or any goods, and pays or delivers the same, or any part thereof, to the winner, may sue for and recover such money by a civil action, before any court of competent jurisdiction. For purposes of this section, gambling shall not include pari-mutuel wagering conducted under a license issued pursuant to chapter 240, purchase or sale of tickets in the State Lottery, or gambling authorized under chapters 349 and 349A.

History: *(10217) RL s 4967; 1985 c 212 s 25; 1989 c 334 art 6 s 6*

541.21 COMMITMENTS FOR GAMBLING DEBT VOID.

Every note, bill, bond, mortgage, or other security or conveyance in which the whole or any part of the consideration shall be for any money or goods won by gambling or playing at cards, dice, or any other game whatever, or by betting on the sides or hands of any person gambling, or for reimbursing or repaying any money knowingly lent or advanced at the time and place of such gambling or betting, or lent and advanced for any gambling or betting to any persons so gambling or betting, shall be void and of no effect as between the parties to the same, and as to all persons except such as hold or claim under them in good faith, without notice of the illegality of the consideration of such contract or conveyance. The provisions of this section shall not apply to: (1) pari-mutuel wagering conducted under a license issued pursuant to chapter 240; (2) purchase of tickets in the State Lottery under chapter 349A; (3) gaming activities conducted pursuant to the Indian Gaming Regulatory Act, United States Code, title 25, section 2701 et seq.; or (4) lawful gambling activities permitted under chapter 349.

History: *(10218) RL s 4968; 1985 c 212 s 26; 1989 c 334 art 6 s 7; 1992 c 565 art 3 s 71; 1994 c 633 art 5 s 97*

541.22 LIMITATION ON ASBESTOS CLAIMS.

Subdivision 1. **Findings and purpose.** The legislature finds that it is in the interest of the general public, particularly those persons who may bring claims regarding materials containing asbestos and those against whom the claims may be brought, to set a specific date by which building owners must bring a cause of action for removal or other abatement costs associated with the presence of asbestos in their building. By enactment of this statute of limitations the legislature does not imply that suits would otherwise be barred by an existing limitations period.

Subd. 2. **Limitation on certain asbestos actions.** Notwithstanding any other law to the contrary, an action to recover for (1) removal of asbestos or materials containing asbestos from a building, (2) other measures taken to locate, correct, or ameliorate any problem related to asbestos in a building, or (3) reimbursement for removal, correction, or amelioration of an asbestos problem that would otherwise be barred before July 1, 1990, as a result of expiration of the applicable period of limitation, is revived or extended. An asbestos action revived or extended under this subdivision may be begun before July 1, 1990.

History: *1987 c 337 s 125; 1988 c 607 s 2*

UNIFORM CONFLICT OF LAWS - LIMITATIONS ACT

541.30 DEFINITIONS.

For the purposes of sections 541.30 to 541.35, the following terms have the meanings given them:

(1) "claim" means a right of action that may be asserted in a civil action or proceeding and includes a right of action created by statute; and

(2) "state" means a state, commonwealth, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, a foreign country, or a political subdivision of any of them.

History: *2004 c 211 s 1*

541.31 CONFLICT OF LAWS; LIMITATION PERIODS.

Subdivision 1. **General.** (a) Except as provided by subdivision 2 and section 541.33, if a claim is substantively based:

(1) upon the law of one other state, the limitation period of that state applies; or

(2) upon the law of more than one state, the limitation period of one of those states chosen by the law of conflict of laws of this state applies.

(b) The limitation period of this state applies to all other claims.

Subd. 2. **Action arising out of state; resident plaintiff.** If a cause of action arises outside of this state and the action is barred under the applicable statute of limitations of the place where it arose, the action may be maintained in this state if the plaintiff is a resident of this state who has owned the cause of action since it accrued and the cause of action is not barred under the applicable statute of limitations of this state.

History: *2004 c 211 s 2*

541.32 RULES APPLICABLE TO COMPUTATION OF LIMITATION PERIOD.

If the statute of limitations of another state applies to the assertion of a claim in this state, the other state's relevant statutes and other rules of law governing tolling and accrual apply in computing the limitation period, but its statutes and other rules of law governing conflict of laws do not apply.

History: *2004 c 211 s 3*

541.33 UNFAIRNESS.

If the court determines that the limitation period of another state applicable under sections 541.31 and 541.32 is substantially different from the limitation period of this state and has not afforded a fair opportunity

to sue upon, or imposes an unfair burden in defending against, the claim, the limitation period of this state applies.

History: *2004 c 211 s 4*

541.34 EXISTING AND FUTURE CLAIMS.

Sections 541.30 to 541.35 apply to claims arising from incidents occurring on or after August 1, 2004.

History: *2004 c 211 s 5*

541.35 UNIFORMITY OF APPLICATION AND CONSTRUCTION.

Sections 541.30 to 541.34 shall be applied and construed to effectuate its general purpose to make uniform the law with respect to the subject of sections 541.30 to 541.34 among the states enacting them.

History: *2004 c 211 s 6*

541.36 SHORT TITLE.

Sections 541.30 to 541.35 may be cited as the Uniform Conflict of Laws-Limitations Act.

History: *2004 c 211 s 7*