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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **556**

February 1, 2007

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The bill was read for the first time and referred to the Transportation Finance Division

February 5, 2007

By motion, recalled and re-referred to the Committee on Commerce and Labor

1.1 A bill for an act
1.2 relating to aeronautics; clarifying disclosure requirements for transfers of real
1.3 property in certain airport safety zones; amending Minnesota Statutes 2006,
1.4 section 360.065, subdivision 3.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2006, section 360.065, subdivision 3, is amended to read:

1.7 Subd. 3. **Disclosure of airport zoning regulations.** (a) Before accepting
1.8 consideration or signing an agreement to sell or transfer real property ~~that is located~~
1.9 ~~in safety zone A, B, or C, excluding safety zones associated with an airport owned or~~
1.10 ~~operated by the Metropolitan Airports Commission, under zoning regulations adopted by~~
1.11 ~~the governing body,~~ the seller or transferor, whether executing the agreement in the seller
1.12 or transferor's own right, or as executor, administrator, assignee, trustee, or otherwise by
1.13 authority of law, must disclose in writing to the buyer or transferee ~~the existence of,~~
1.14 to the best of seller's knowledge, whether the property is located in an airport safety
1.15 zone A, B, or C under zoning regulations adopted by the governing body, excluding
1.16 safety zones associated with an airport owned or operated by the Metropolitan Airports
1.17 Commission and, to the best of the seller's knowledge, whether the property is subject to
1.18 airport zoning regulations that affect the real property adopted by the governing body,
1.19 excluding safety zones associated with an airport owned or operated by the Metropolitan
1.20 Airports Commission.

1.21 (b) Unless the buyer or transferee and seller or transferor agree to the contrary in
1.22 writing before the closing of the sale, a seller or transferor who fails to disclose, to the best
1.23 of their knowledge, at the time of sale that the property is located in airport safety zones
1.24 A, B, or C or is subject to airport zoning regulations adopted by the governing body, and

2.1 who knew or had reason to know the property was located in the airport safety zones A, B,
2.2 or C, or subject to airport zoning regulations, is liable to the buyer or transferee for:

2.3 (1) costs relating to loss or limitation of use of the subject property not to exceed the
2.4 purchase price paid for the property; and

2.5 (2) reasonable attorney fees for collection of costs from the seller or transferor.

2.6 An action under this paragraph must be commenced within one year after the date on which
2.7 the buyer or transferee closed the purchase or transferred the real property, which was
2.8 located in airport safety zones A, B, or C or subject to airport zoning regulations, or both.