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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 3441

February 25, 2008

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The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

1.1 A bill for an act
1.2 relating to civil law; extending civil immunity to municipalities that donate
1.3 public safety equipment; amending Minnesota Statutes 2006, section 466.03, by
1.4 adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2006, section 466.03, is amended by adding a
1.7 subdivision to read:

1.8 Subd. 23. Used public safety equipment. (a) Any tort claim against a municipality
1.9 resulting from the use of public safety equipment donated by the municipality. For
1.10 purposes of this subdivision, immunity shall extend to an employee, officer, or agent
1.11 of a municipality where the claim is based upon actions taken within the scope of the
1.12 employee's, officer's, or agent's duties.

1.13 (b) As used in this subdivision, "public safety equipment" means any equipment
1.14 purchased or obtained through gifts or grants by a municipality for use in responding to or
1.15 training for emergencies.

1.16 **EFFECTIVE DATE.** This section is effective August 1, 2008, and applies to
1.17 actions arising from incidents occurring on or after that date.