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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

March 17, 2008

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Local Government and Metropolitan Affairs

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, unless
1.10 the claim is a direct result of the intentional misconduct, gross negligence, or ordinary
1.11 negligence of the municipality including, but not limited to, the failure to disclose known
1.12 defects or mechanical failures.

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.