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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **1557**

March 12, 2009

Authored by Mullery, Nelson and Seifert

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

March 22, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended

Pursuant to Joint Rule 2.03, re-referred to the Committee on Rules and Legislative Administration

1.1 A bill for an act
1.2 relating to civil actions; providing time limit for appealing decisions of a
1.3 governing body or board of adjustment to district court; prohibiting the posting
1.4 of a bond for an appeal; amending Minnesota Statutes 2008, section 462.361,
1.5 subdivision 1, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2008, section 462.361, subdivision 1, is amended to read:

1.8 Subdivision 1. **Review of action.** ~~Any~~ A person aggrieved by an ordinance, rule,
1.9 regulation, decision or order of a governing body or board of adjustments and appeals
1.10 acting ~~pursuant to~~ under sections 462.351 to 462.364 may have ~~such~~ the ordinance, rule,
1.11 regulation, decision, or order; reviewed by ~~an appropriate remedy in~~ the district court;
1.12 subject to ~~the provisions of~~ this section. The appeal must be filed with the district court
1.13 within 180 days of the final decision of the governing body or board of adjustments and
1.14 appeals.

1.15 **EFFECTIVE DATE; APPLICATION.** This section applies to a final decision
1.16 made before, on, or after the effective date of this act. If a final decision was made before
1.17 the effective date, an appeal must be filed within 180 days of the effective date.

1.18 Sec. 2. Minnesota Statutes 2008, section 462.361, is amended by adding a subdivision
1.19 to read:

1.20 **Subd. 3. Bond upon appeal.** A party may not be ordered to post a surety bond or
1.21 damages bond as a condition of an appeal under this section.