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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 35

01/14/2019 Authored by Fabian
The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division

1.1 A bill for an act
1.2 relating to civil actions; specifying the duty owed by real property owners to
1.3 trespassers; proposing coding for new law in Minnesota Statutes, chapter 604A.

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

1.5 Section 1. [604A.28] DUTY OF OWNER OF REAL PROPERTY TO TRESPASSER.

1.6 (a) A real property owner owes no duty of care to a trespasser unless a common law or
1.7 statutory right of action existed as of the effective date of this section.

1.8 (b) This section does not affect any immunities from or defenses to civil liability
1.9 established by other law or available at common law that a real property owner may be
1.10 entitled to.

1.11 (c) For the purposes of this section, "owner" means the possessor of a fee interest, a life
1.12 estate, tenant, lessee, occupant, holder of a utility easement, or a person in control of the
1.13 land.

1.14 EFFECTIVE DATE. This section is effective July 1, 2019, and applies to actions
1.15 arising from incidents occurring on or after that date.