

# HOUSE OF REPRESENTATIVES

NINETIETH SESSION

**H. F. No. 985**

02/09/2017 Authored by Fabian, Ecklund, Smith, Heintzeman and Loonan  
The bill was read for the first time and referred to the Committee on Civil Law and Data Practices Policy  
02/15/2017 Adoption of Report: Placed on the General Register  
Read for the Second Time  
04/27/2017 Calendar for the Day, Amended  
Read Third Time as Amended  
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments  
05/18/2017 Returned to the House as Amended by the Senate  
The House concurred in the Senate Amendments and repassed the bill as Amended by the Senate

- 1.1 A bill for an act
- 1.2 relating to civil actions; specifying the duty owed by owners of real property 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) An owner of real property owes no duty of care to a trespasser unless a common law
- 1.7 or 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 to which an owner of real property
- 1.10 may be entitled.
- 1.11 (c) For the purposes of this section, "owner" means the possessor of a fee interest or a
- 1.12 life estate, tenant, lessee, occupant, holder of a utility easement, or a person in control of
- 1.13 the land.
- 1.14 **EFFECTIVE DATE.** This section is effective July 1, 2017, and applies to actions
- 1.15 arising from incidents occurring on or after that date.