

**SENATE  
STATE OF MINNESOTA  
EIGHTY-EIGHTH SESSION**

**S.F. No. 693**

(SENATE AUTHORS: DZIEDZIC, Latz, Goodwin, Westrom and Cohen)

DATE	D-PG	OFFICIAL STATUS	SENATE LANGUAGE
02/21/2013	361	Introduction and first reading Referred to Judiciary	
04/02/2013	1463a	Comm report: To pass as amended	
	1668	Second reading	
05/09/2013	3480	Special Order	
	3480	Third reading Passed	
05/16/2013	3739	Returned from House with amendment	
	3740	Laid on table	
05/20/2013	5274	Taken from table	
	5275	Motion did not prevail To concur Laid on table	
05/07/2014	8868	Taken from table Senate not concur, conference committee of 3 requested	
	8869	Senate conferees Dzedzic; Metzen; Westrom	
05/08/2014	8967	House conferees Atkins; Lesch; Cornish	

A bill for an act

relating to civil actions; providing for the survival or continuation of an action after the death or disability of a party; proposing coding for new law in Minnesota Statutes, chapter 540; repealing Minnesota Statutes 2012, section 573.01.

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

**Section 1. [540.115] ACTION CONTINUES WHERE CAUSE OF ACTION SURVIVES.**

A pending action does not abate by the death or other disability of a party or by the transfer of any interest therein if the cause of action survives or continues.

**EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to causes of action commenced on or after that date.

**Sec. 2. [540.116] CAUSES OF ACTION SURVIVING DEATH OF PARTY; BROUGHT BY OR AGAINST LEGAL REPRESENTATIVE.**

Any pending injury or noninjury cause of action survives the death of a party to the action. The personal representatives of the deceased may be substituted as plaintiff and prosecute the suit to final judgment and satisfaction. A cause of action for death by wrongful act or omission is governed by section 573.02. Nothing in this chapter or chapter 573 shall be construed as precluding the personal representative or successors in interest of the deceased party from pursuing a wrongful death action for all damages sustained before death pursuant to section 573.02 and other causes of action arising from the same occurrence.

2.1 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to causes  
2.2 of action commenced on or after that date.

2.3 Sec. 3. **REPEALER.**

2.4 Minnesota Statutes 2012, section 573.01, is repealed.

2.5 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to causes  
2.6 of action commenced on or after that date.

APPENDIX  
Repealed Minnesota Statutes: S0693-1

**573.01 SURVIVAL OF CAUSES.**

A cause of action arising out of an injury to the person dies with the person of the party in whose favor it exists, except as provided in section 573.02. All other causes of action by one against another, whether arising on contract or not, survive to the personal representatives of the former and against those of the latter.