

HF717 - 0 - Civil Statute of Limitations; Peace Officers

Chief Author: **Samantha Vang**
 Committee: **Judiciary Finance and Civil Law**
 Date Completed: **2/23/2021 10:11:07 AM**
 Lead Agency: **Supreme Court**
 Other Agencies:
 Public Safety Dept

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
State Total						
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

This fiscal note has been reviewed and complies with the Uniform Standards and Procedures. The Department of Public Safety estimates there will be a fiscal impact. However, various factors contributing to the fiscal impact cannot be measured. Therefore, the fiscal impact to the Department of Public Safety is unknown.

LBO Signature: Maren Bardal **Date:** 2/23/2021 10:11:07 AM
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State Cost (Savings) Calculation Details

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*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2021	FY2022	FY2023	FY2024	FY2025
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

Fiscal Note

2021-2022 Legislative Session

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Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Maren Bardal **Date:** 2/22/2021 6:26:48 PM
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	Total	-	-	-	-	-
	Biennial Total			-		-
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	Total	-	-	-	-	-
	Biennial Total			-		-

Bill Description

HF717-0 amends Minn. Stat. § 541.073 and Minn. Stat. § 573.02 to eliminate the current statutes of limitations for bringing an action for damages in cases involving an alleged sexual assault by a peace officer or an alleged act by a peace officer that results in a wrongful death. This bill provides for retroactive application, but only for otherwise time-barred actions if brought within 5 years of the effective date of this legislation.

Assumptions

It is assumed the effective date is August 1, 2021.

It is assumed the provisions of this bill will result in the filing of civil cases for damages that under the current provisions could not be filed.

It is assumed the number of instances of peace officers committing sexual assault or causing death are statistically rare. It is further assumed that in these types of cases, most actions for damages are filed within the applicable limitations period. It is unknown how many additional cases will be filed as a result of the bill but it is not anticipated to be a significant increase in the case filing rate.

Expenditure and/or Revenue Formula

This bill is not anticipated to have a significant fiscal impact on the judicial branch.

Long-Term Fiscal Considerations

None

Local Fiscal Impact

None

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Janet Marshall

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Full Time Equivalent Positions (FTE)	Biennium			Biennium	
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LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

This fiscal note has been reviewed and complies with the Uniform Standards and Procedures. It is estimated there will be a fiscal impact. However, various factors contributing to the fiscal impact cannot be measured. Therefore, the fiscal impact is unknown.

LBO Signature: Maren Bardal **Date:** 2/23/2021 10:09:51 AM
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1 - Expenditures, Absorbed Costs*, Transfers Out*						
	Total	-	-	-	-	-
	Biennial Total			-		-
2 - Revenues, Transfers In*						
	Total	-	-	-	-	-
	Biennial Total			-		-

Bill Description

This bill eliminates the statute of limitations for actions for damages around alleged sexual abuse by a peace officer and death caused by a peace officer. It also permits actions that might otherwise have been time barred to commence within 5 years following the day of enactment.

Assumptions

BCA:

The BCA cannot know how many actions were not filed due to the current statute of limitations, therefore, the BCA cannot know how many would be filed in response to its' elimination. Therefore, the BCA cannot claim an impact as there is no data to support it.

However, it is important to note that the elimination of the statute of limitations could lead to increased costs associated with defense of the BCA in court, though these costs cannot be estimated.

AGED & MSP:

There is no fiscal impact to the State Patrol or Alcohol and Gambling Enforcement divisions.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact: Rita Wurm 651-201-7016

Agency Fiscal Note Coordinator Signature: Rita Wurm

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