HOUSE RESEARCH

Act Summary

Chapter:	80	**Session:**	2017 Regular Session
Topic:	Architectural barriers lawsuits under the Minnesota Human Rights Act		
Analyst:	Mary Mullen	**Date:**	May 30, 2017

Overview

This act clarifies when and how the notice of architectural barrier is required and when civil actions can be filed after a notice has been sent. This law was effective on May 24, 2017, and applies to civil actions brought on or after that date.

Section

1   **For filing claim; filing options.** Makes conforming changes to the statute of limitations on a claim filed under the Minnesota Human Rights Act ("MHRA") related to the notice periods created in the architectural barrier notice sections of the MHRA.

2   **Notice of architectural barrier.** Clarifies the law on architectural barrier notice provisions to require the notice period expire before a law suit can be brought and allows an additional 30 days after the notice period if weather prevents the removal of an architectural barrier and the owner of an establishment intends to remove the barrier.

3   **Representation by attorney after action brought.** Adds a new section to the law on architectural barriers requiring pro se litigants who hire an attorney after they have started a case to send a notice and provide additional time for defendants to answer consistent with the time lines allowed in the notice provisions.

4   **Exemptions.** Changes and clarifies the exemptions to the notice of architectural barriers section and allows pro se litigants and government attorneys to proceed on civil actions without sending a notice, and clarifies that an individual who is challenging a professionally prepared audit and those who are proceeding in an administrative action through the Department of Human Rights can do so without the notice.