

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 47
Version: Original

DATE: January 8, 1999

Authors: Bishop, Smith, Seifert, J.

Subject: Civil action for domestic abuse

Analyst: Deborah K. McKnight (651/296-5056)

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1 Cause of action for victims of domestic abuse.

Subd. 1. Definitions. "Domestic abuse" and "family or household member" have the definition used in the order for protection law.

"Perpetrator" means someone who commits domestic abuse.

"Victim" means someone subjected to domestic abuse or the individual's next of kin.

Subd. 2. Cause of action. Gives a victim a cause of action for damages, including punitive damages, against a perpetrator, plus costs, disbursements, and reasonable attorney fees.

Subd. 3. Relationship to other proceedings. Does not require an order for protection or a criminal complaint as a prerequisite for bringing a civil action. Res judicata and collateral estoppel do not apply to action under this section.

Subd. 4. Other remedies reserved. This section does not prevent a victim from seeking a remedy under other law, except that a victim cannot recover more than once for the same costs or damages.

Subd. 5. Statute of limitations. An action must be started not later than six years after the domestic abuse occurs. The time stops running during the time a perpetrator continues to commit abuse against the victim or a family or household member of the victim.

2 Effective date; application. Section 1 is effective August 1, 1999, and applies to actions commenced on or after that date.