

Subd. 5. Statute of limitations; survivability of action. Provides that an action permitted by this section may be filed up to three years after discovery of the facts giving rise to the action. The right to bring an action is not affected by the death of the incapacitated or vulnerable adult. Causes of action that are currently time barred may be brought within one year of the effective date of this section.

Subd. 6. Remedies. Specifies the remedies that may be allowed, both before and after a determination of liability. Once liability is found, relief may include an award of up to three times the amount of monetary damages suffered, punitive damages, an order of divestment in an enterprise, other reasonable restrictions prohibiting future similar conduct, and dissolution or reorganization of an enterprise. Costs and reasonable attorney's fees may be awarded to a prevailing party.

A person found to have violated this section forfeits all rights and benefits that the person may have had in a deceased incapacitated or vulnerable adult's estate.

This subdivision also specifies that an action under this section does not affect other remedies that may be provided in law.

The bill is effective August 1, 2012.