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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4937

03/14/2024

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The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; providing for the Minnesota Civil Liberties Act;
1.3 prohibiting immunity for peace officers; proposing coding for new law in Minnesota
1.4 Statutes, chapter 626.

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

1.6 Section 1. 626.893 IMMUNITY PROHIBITED.

1.7 Subdivision 1. Civil liability. (a) Notwithstanding any law to the contrary, a peace
1.8 officer who, under color of law, subjects or causes to be subjected, including but not limited
1.9 to failing to intervene, another person to the deprivation of any rights, privileges, or
1.10 immunities granted to the person under the constitutions and laws of the United States and
1.11 this state, is liable to the injured party for compensatory damages, punitive damages, equitable
1.12 relief, or any other appropriate relief. If the plaintiff prevails in the action, in addition to
1.13 any monetary or injunctive relief, the court shall award reasonable attorney fees and costs.

1.14 (b) Except as provided under paragraph (c), statutory immunities and statutory limitations
1.15 on liability, damages, and attorney fees shall not apply to claims brought under this
1.16 subdivision. Qualified immunity is not a defense to liability imposed under this subdivision.

1.17 (c) An action under this subdivision shall be commenced within six years after the cause
1.18 of action arises.

1.19 (d) Nothing in this subdivision shall prevent an aggrieved person from pursuing any
1.20 other cause of action available to that person for the conduct giving rise to a cause of action
1.21 under this subdivision.

2.1 Subd. 2. **Criminal liability.** Notwithstanding any law to the contrary, a peace officer
2.2 who, under color of law, subjects or causes to be subjected, including but not limited to
2.3 failing to intervene, another person to the deprivation of any rights, privileges, or immunities
2.4 granted to the person under the constitutions and laws of the United States and this state, is
2.5 not immune from criminal liability.

2.6 Subd. 3. **Definition.** For the purposes of this section, "peace officer" has the meaning
2.7 given in section 626.84, subdivision 1, paragraph (c).

2.8 **EFFECTIVE DATE.** This section is effective the day following final enactment and
2.9 applies to peace officer actions occurring on or after that date.

2.10 Sec. 2. **TITLE.**

2.11 This act shall be known as the "Minnesota Civil Liberties Act."