

1.1 A bill for an act

1.2 relating to civil law; establishing a special duty of care for municipal building
1.3 inspectors and local subsurface sewage treatment system inspectors; amending
1.4 Minnesota Statutes 2008, sections 115.55, by adding a subdivision; 326B.133, by
1.5 adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2008, section 115.55, is amended by adding a
1.8 subdivision to read:

1.9 Subd. 13. **Inspection liability.** A local unit of government owes a special duty of
1.10 care for the protection of a residential property and the property's owner and occupants in
1.11 conducting an inspection of a subsurface sewage treatment system on the property.

1.12 **EFFECTIVE DATE.** This section is effective August 1, 2010, and applies to
1.13 inspections conducted on or after that date.

1.14 Sec. 2. Minnesota Statutes 2008, section 326B.133, is amended by adding a
1.15 subdivision to read:

1.16 Subd. 1a. **Special duty of care.** A municipality owes a special duty of care for the
1.17 protection of a residential property and the property's owner and occupants in conducting
1.18 an inspection of residential property under this chapter.

1.19 **EFFECTIVE DATE.** This section is effective August 1, 2010, and applies to
1.20 inspections conducted on or after that date.