

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 4535

(SENATE AUTHORS: WESENBERG, Kreun, Eichorn, Farnsworth and Kupec)
DATE 03/04/2024 D-PG Introduction and first reading OFFICIAL STATUS Referred to Judiciary and Public Safety

1.1 A bill for an act
1.2 relating to civil law; authorizing an owner to restrict access to an easement held
1.3 by a government entity; proposing coding for new law in Minnesota Statutes,
1.4 chapter 117.

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

1.6 Section 1. **[117.81] OWNER'S RIGHT TO RESTRICT ACCESS TO EASEMENT.**

1.7 Notwithstanding any law to the contrary, if an owner suffers harm related to an easement
1.8 held by a local, state, or other government entity, the local, state, or other government entity
1.9 must permit the owner of the property subject to the easement to restrict access to the
1.10 easement, including erecting a gate or fence, to protect their property or life. If the owner
1.11 erects a gate or fence or restricts access by another means, the owner must provide the local,
1.12 state, or government entity with the ability to access the easement in a reasonable manner,
1.13 including by providing a key or code to unlock a gate. A local, state, or government entity
1.14 that fails to permit an owner to protect their property or life pursuant to this section forfeits
1.15 any rights to the easement.