

CHAPTER 209—S.F.No. 848

An act relating to civil actions; creating a state court action for relief for damages caused by a federal court action that affects public participation by the plaintiff; proposing coding for new law in Minnesota Statutes, chapter 554.

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

Section 1. **[554.045] ACTION IN DISTRICT COURT.**

A person may bring an action under this section in state district court against a respondent who has brought a claim in federal court that materially relates to public participation by the person. If the person demonstrates that the respondent's action in federal court was brought for the purpose of harassment, to inhibit the person's public participation, to interfere with the person's exercise of protected constitutional rights, or otherwise wrongfully injure the person, the court shall award the person actual damages and reasonable attorney fees and costs. The court may award the person punitive damages under section 549.20.

Presented to the governor May 20, 1997

Signed by the governor May 22, 1997, 12:11 p.m.

CHAPTER 210—S.F.No. 1114

An act relating to claims against governmental units; increasing tort liability limits; amending Minnesota Statutes 1996, sections 3.736, subdivision 4; and 466.04, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 6.

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

Section 1. Minnesota Statutes 1996, section 3.736, subdivision 4, is amended to read:

Subd. 4. **LIMITS.** The total liability of the state and its employees acting within the scope of their employment on any tort claim shall not exceed:

(a) ~~\$200,000~~ \$300,000 when the claim is one for death by wrongful act or omission and ~~\$200,000~~ \$300,000 to any claimant in any other case;

(b) ~~\$600,000~~ \$750,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 1998, and before January 1, 2000; or

(c) \$1,000,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 2000.

If the amount awarded to or settled upon multiple claimants exceeds ~~\$600,000~~ the applicable limit under clause (b) or (c), any party may apply to the district court to apportion to each claimant a proper share of the ~~\$600,000~~ amount available under the applicable limit under clause (b) or (c). The share apportioned to each claimant shall be in the proportion that the ratio of the award or settlement bears to the aggregate awards and settlements for all claims arising out of the occurrence.

New language is indicated by underline, deletions by strikeout.