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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3412

02/17/2020 Authored by Hassan; Dehn; Xiong, J.; Lee; Davnie and others
The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division

1.1 A bill for an act
1.2 relating to judiciary; permitting a civil action for falsely reporting crime; amending
1.3 Minnesota Statutes 2018, section 609.505, by adding a subdivision.

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

1.5 Section 1. Minnesota Statutes 2018, section 609.505, is amended by adding a subdivision
1.6 to read:

1.7 Subd. 3. Civil action. (a) An individual injured by a violation under subdivision 1 may
1.8 bring a civil action for damages against the person who knowingly caused the peace officer
1.9 to arrive at the location of the individual if the person intended to:

1.10 (1) infringe on the individual's rights under the Minnesota or United States Constitution;

1.11 (2) unlawfully discriminate against the individual;

1.12 (3) cause the individual to be harassed, humiliated, or embarrassed;

1.13 (4) cause the individual to be expelled from a place in which the individual is lawfully
1.14 located; or

1.15 (5) damage the individual's:

1.16 (i) reputation or standing within the community; or

1.17 (ii) financial, economic, consumer, or business prospects or interests.

1.18 (b) Upon prevailing in an action under paragraph (a), the individual may recover:

1.19 (1) the greater of:

1.20 (i) special and general damages, including damages for emotional distress; or

2.1 (ii) statutory damages of \$250 for each claim under this subdivision; and

2.2 (2) punitive damages.

2.3 (c) The court may award reasonable attorney fees to the prevailing party in an action  
2.4 under this subdivision.

2.5 (d) A civil action under this subdivision may be brought in conciliation court if the total  
2.6 damages do not exceed the jurisdictional limit under section 491A.01, subdivision 3a.

2.7 (e) A civil action under this subdivision does not affect a right or remedy otherwise  
2.8 provided by law.