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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 794

02/08/2021

Authored by Fischer

The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law

1.1 A bill for an act
1.2 relating to civil law; amending the statute of limitations for actions under the
1.3 Minnesota Human Rights Act; amending Minnesota Statutes 2020, section 363A.28,
1.4 subdivision 3.

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

1.6 Section 1. Minnesota Statutes 2020, section 363A.28, subdivision 3, is amended to read:

1.7 Subd. 3. For filing claim; filing options. (a) A claim of an unfair discriminatory practice
1.8 must be brought as a civil action pursuant to section 363A.33, subdivision 1, filed in a charge
1.9 with a local commission pursuant to section 363A.07, subdivision 3, or filed in a charge
1.10 with the commissioner within ~~one year~~ after ten years of the occurrence of the practice.

1.11 (b) The running of the ~~one-year~~ ten-year limitation period is suspended during the time
1.12 a potential charging party and respondent are voluntarily engaged in a dispute resolution
1.13 process involving a claim of unlawful discrimination under this chapter, including arbitration,
1.14 conciliation, mediation or grievance procedures pursuant to a collective bargaining agreement
1.15 or statutory, charter, ordinance provisions for a civil service or other employment system
1.16 or a school board sexual harassment or sexual violence policy. A potential respondent who
1.17 participates in such a process with a potential charging party before a charge is filed or a
1.18 civil action is brought shall notify the department and the charging party in writing of the
1.19 participation in the process and the date the process commenced and shall also notify the
1.20 department and the charging party of the ending date of the process. A respondent who fails
1.21 to provide this notification is barred from raising the defense that the statute of limitations
1.22 has run unless ~~one year~~ ten years plus a period of time equal to the suspension period has
1.23 passed.

- 2.1 (c) The running of the ~~one-year~~ ten-year limitation period is suspended during the
- 2.2 applicable time period under section 363A.331, subdivision 2, during which a civil action
- 2.3 may not be brought.