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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **3480**

February 25, 2008

Authored by Mullery, Hilstrom, Thao, Mariani, Nelson and others

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

1.1 A bill for an act
1.2 relating to human rights; modifying filing of claim provision; amending
1.3 Minnesota Statutes 2006, section 363A.28, subdivision 3.

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

1.5 Section 1. Minnesota Statutes 2006, section 363A.28, subdivision 3, is amended to
1.6 read:

1.7 Subd. 3. **For filing claim; filing options.** A claim of an unfair discriminatory
1.8 practice must be brought as a civil action pursuant to section 363A.33, subdivision 1, filed
1.9 in a charge with a local commission pursuant to section 363A.07, subdivision 3, or filed
1.10 in a charge with the commissioner within ~~one year~~ two years after the occurrence of the
1.11 practice. The running of the ~~one-year~~ limitation period is suspended during the time a
1.12 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
1.14 arbitration, conciliation, mediation or grievance procedures pursuant to a collective
1.15 bargaining agreement or statutory, charter, ordinance provisions for a civil service or
1.16 other employment system or a school board sexual harassment or sexual violence policy.
1.17 A potential respondent who participates in such a process with a potential charging
1.18 party before a charge is filed or a civil action is brought shall notify the department and
1.19 the charging party in writing of the participation in the process and the date the process
1.20 commenced and shall also notify the department and the charging party of the ending date
1.21 of the process. A respondent who fails to provide this notification is barred from raising
1.22 the defense that the statute of limitations has run unless ~~one year~~ two years plus a period
1.23 of time equal to the suspension period has passed.