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**Senate**

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**State of Minnesota**

**S.F. No. 997 – Survival of personal injury actions**

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Under current law, a cause of action alleging personal injury does not survive the death of the person in whose favor the action exists. A trustee may only maintain such an action for special damages.

**S.F. 997** provides that a personal injury action survives the death of any party and a trustee may bring the action for all damages. This bill also provides that in a wrongful death action, the recovery in the action includes all damages suffered by the decedent resulting from the injury prior to the decedent's death.

**Effective date.** This bill is effective the date following final enactment and applies to causes of action pending on or commenced on or after that date.