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State of Minnesota

Printed Page No. 139

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2245

- 03/15/2021 Authored by Hollins
The bill was read for the first time and referred to the Committee on Climate and Energy Finance and Policy
By motion, recalled and re-referred to the Committee on Judiciary Finance and Civil Law
- 03/22/2021 Adoption of Report: Placed on the General Register
Read for the Second Time
- 04/21/2021 Referred to the Chief Clerk for Comparison with S. F. No. 1807
- 04/22/2021 Postponed Indefinitely

1.1 A bill for an act

1.2 relating to real property; extending sunset of temporary exception for certain filings

1.3 of mortgages and deeds of trust; amending Laws 2020, chapter 118, section 4.

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

1.5 Section 1. Laws 2020, chapter 118, section 4, is amended to read:

1.6 Sec. 4. **FILING OF MORTGAGE OR DEED OF TRUST THROUGH 2020; PUBLIC**

1.7 **UTILITY.**

1.8 Notwithstanding Minnesota Statutes, section 507.327, ~~for the public utility subject to~~

1.9 ~~Minnesota Statutes, section 116C.7791,~~ the filing of the mortgage or deed of trust executed

1.10 between May 1, 2020, and ~~December 31, 2020~~ June 30, 2022, filed in the Office of the

1.11 Secretary of State under Minnesota Statutes, section ~~336.02~~ 336B.02, along with, or as part

1.12 of, the financing statement covering the fixtures, has the same effect, and is notice of the

1.13 rights and interests of the mortgagee or trustee in easements, other less than fee simple

1.14 interests in real estate, and fee simple interests in real estate ~~of the public utility~~ to the same

1.15 extent, as if the mortgage or deed of trust were duly recorded in the office of the county

1.16 recorder or duly registered in the office of the registrar of titles of the counties in which the

1.17 real estate is situated. The effectiveness of the filing terminates at the same time as provided

1.18 in Minnesota Statutes, section 336B.02, subdivision 3, for the termination of the effectiveness

1.19 of fixture filing. Any filing made in accordance with this section shall also be made with

1.20 the office of the county recorder, or duly registered in the office of the registrar of titles, of

1.21 the counties in which the real estate is situated.

1.22 **EFFECTIVE DATE.** This section is effective retroactively from December 30, 2020.