

**SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION**

S.F. No. 4432

(SENATE AUTHORS: KREUN)

DATE
03/12/2026

D-PG
6673

Introduction and first reading
Referred to Judiciary and Public Safety

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to real property; clarifying that courts are not prohibited from applying
1.3 equitable principles to enforce certain documents; amending Minnesota Statutes
1.4 2024, section 507.02.

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

1.6 Section 1. Minnesota Statutes 2024, section 507.02, is amended to read:

1.7 **507.02 CONVEYANCES BY SPOUSES; POWERS OF ATTORNEY.**

1.8 If the owner is married, no conveyance of the homestead, except a mortgage for purchase
1.9 money under section 507.03, a conveyance between spouses pursuant to section 500.19,
1.10 subdivision 4, or a severance of a joint tenancy pursuant to section 500.19, subdivision 5,
1.11 shall be valid without the signatures of both spouses. A spouse's signature may be made by
1.12 the spouse's duly appointed attorney-in-fact.

1.13 Spouses who are married to each other may convey the real estate of either by their joint
1.14 deed. A spouse, by separate deed, may convey any real estate owned by that spouse, except
1.15 the homestead, subject to the rights of the other spouse therein; and either spouse may, by
1.16 separate conveyance, relinquish all rights in the real estate so conveyed by the other spouse.
1.17 Subject to the foregoing provisions, either spouse may separately appoint an attorney-in-fact
1.18 to sell or convey any real estate owned by that spouse, or join in any conveyance made by
1.19 or for the other spouse. Use of a power of attorney is subject to section 518.58, subdivision
1.20 1a. A minor spouse has legal capacity to join in a conveyance of real estate owned by the
1.21 other spouse, so long as the minor spouse is not incapacitated because of some reason other
1.22 than that spouse's minor age.

- 2.1 This section does not prohibit a court of equity from applying equitable principles to
- 2.2 enforce a document, that may otherwise be void, to prevent a windfall.