

CHAPTER 305—H.F.No.632

[Not Coded]

An act relating to intoxicating liquor; authorizing the issuance of additional on-sale licenses in the county of Cook.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **COOK COUNTY; LIQUOR LICENSES.** Notwithstanding the limitations contained in Minnesota Statutes 1971, Section 340.11, Subdivision 10, the county board of Cook county may issue three licenses for the on-sale of intoxicating liquor in addition to the number permitted under Section 340.11, Subdivision 10. All other provisions of Section 340.11, Subdivision 10 shall apply to licenses issued pursuant to this section.

Sec. 2. This act is effective upon approval by the county board of Cook county and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 18, 1973.

CHAPTER 306—H.F.No.759

An act relating to probate proceedings; bond in summary administration; amending Minnesota Statutes 1971, Section 525.51, Subdivision 5.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1971, Section 525.51, Subdivision 5, is amended to read:

Subd. 5. **PROBATE PROCEEDINGS; SUMMARY ADMINISTRATION.** In any summary, special, or general administration wherein it appears that the estate will not be exhausted in payment of the priority items enumerated in the foregoing subdivisions, the estate may nevertheless be summarily closed without further notice, and the property assigned to the proper persons, if the gross probate estate, exclusive of any exempt homestead as defined in section 525.145, does not exceed the value of \$15,000.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Where such closing and distribution of assets is made pursuant to the terms of a will, no decree shall issue until a hearing has been held on the admission of the will to probate as provided in section 525.24.

No summary closing of an estate shall be made to any distributee under this subdivision, unless a showing is made by the representative or the petitioner, that all funeral expenses, expenses of last illness, taxes, debts, and claims have been paid, and provided, further, that a bond shall be filed by the representative or the petitioner, conditioned upon the fact that all such obligations have been paid and that all the facts shown on the petition are true, with sufficient surety approved by the court in an amount ~~ample to cover the assets so distributed or disbursed as may be fixed by the court to cover potential improper distributions.~~ If a representative is appointed, his representative's bond shall be sufficient for such purpose unless an additional bond is ordered, and the sureties on his bond shall have the same obligations and liabilities as provided for sureties on a distribution bond.

In the event that an improper distribution or disbursement is made in a summary closing, in that not all of said obligations have been paid or that other facts as shown by the representative or the petitioner, are not true, resulting in damage to any party, the court may vacate its summary decree or closing order, and the petitioner or the representative, together with his surety, shall be liable for damages to any party determined to be injured thereby as herein provided. The representative, petitioner, or his surety, may seek reimbursement for damages so paid or incurred from any distributee or recipient of assets under summary decree or order, who shall be required to make a contribution to cover such damages upon a pro rata basis or as may be equitable to the extent of assets so received. The probate court is hereby granted complete and plenary jurisdiction of any and all such proceedings and may enter such orders and judgments as may be required to effectuate the purposes of this subdivision.

Any judgment rendered for damages or the recovery of assets in such proceedings shall be upon petition and only after hearing held thereon on 14 days' notice of hearing and a copy of petition served personally upon the representative and the surety and upon any distributee or recipient of assets where applicable. Any action for the recovery of moneys or damages under this subdivision shall be subject to the time and other limitations imposed by section 525.02.

Approved May 18, 1973.

Changes or additions indicated by underline, deletions by ~~strikeout~~.