

CHAPTER 39 — H.F.No. 1083

An act relating to charitable trusts; transferring responsibility of keeping certain records; amending Minnesota Statutes 1980, Sections 501.75; 501.76; 501.77; and 501.78, Subdivision 4.

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

Section 1. Minnesota Statutes 1980, Section 501.75, is amended to read:

501.75 REGISTER OF TRUSTS AND TRUSTEES.

Subdivision 1. **ESTABLISHMENT OF REGISTER; TRANSFER TO ATTORNEY GENERAL.** ~~The securities and real estate division of the department of commerce~~ attorney general shall establish and maintain a register of charitable trusts and trustees subject to the provisions of sections 501.71 to 501.81. All registrations, annual reports and other filings made pursuant to sections 501.71 to 501.81 shall be transferred by ~~the secretary of state~~ to the securities and real estate division of the department of commerce to the attorney general. All registrations and annual reports filed with ~~the secretary of state~~ securities and real estate division shall remain in effect as if there had been no transfer in the register.

Subd. 2. **FILING OF INSTRUMENTS.** Every charitable trust subject to the provisions of sections 501.71 to 501.81 shall register and file with the ~~securities and real estate division~~ attorney general a copy of the instrument creating the charitable trust, including any amendments thereto, within three months after the charitable trust first receives possession or control of any property authorized or required to be applied, either at present or in the future, for charitable purposes.

Sec. 2. Minnesota Statutes 1980, Section 501.76, is amended to read:

501.76 FILING OF ANNUAL REPORTS.

Subdivision 1. **REPORTS REQUIRED; DEADLINES; EXTENSIONS.** Every charitable trust subject to the provisions of sections 501.71 to 501.81 shall, in addition to filing copies of the instruments previously required, file with the ~~securities and real estate division of the department of commerce~~ attorney general annual written reports setting forth any information the trust is required to report pursuant to sections 6056(b), 6033, 6034 and 6056 of the Internal Revenue Code of 1954. These reports shall be filed annually on or before the fifteenth day of the fifth month following the close of the charitable trust's taxable year as established for federal tax purposes. The time for filing may be extended by application to the ~~securities and real estate division~~ attorney general, but no such extension shall be for more than six months. A charitable trust which files the information required under this subdivision with

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the ~~securities and real estate division~~ attorney general is not required to file the same information with the commissioner of revenue.

Subd. 2. **SUSPENSION OF FILING.** The ~~securities and real estate division~~ attorney general may suspend the filing of reports as to a particular charitable trust for a reasonable, specifically designated time upon written application of the trustee filed with the ~~securities and real estate division~~ and after the attorney general has filed and if the attorney general files in the register of charitable trusts a written statement that the interests of the beneficiaries will not be prejudiced thereby and that annual reports are not required for proper supervision by his office.

Sec. 3. Minnesota Statutes 1980, Section 501.77, is amended to read:

501.77 PUBLIC INSPECTION OF RECORDS.

The register, copies of instruments, and the reports filed with the ~~securities and real estate division of the department of commerce~~ attorney general shall be open to public inspection.

Sec. 4. Minnesota Statutes 1980, Sections 501.78, Subdivision 4, is amended to read:

Subd. 4. **REPORT OF APPLICATIONS FOR TAX EXEMPTION.** Every officer, agency, board or commission of this state receiving applications for exemption from taxation of any charitable trust subject to sections 501.71 to 501.81 shall annually file with the ~~securities and real estate division of the department of commerce~~ attorney general a list of all applications received during the year and shall notify the division of any suspension or revocation of a tax exempt status previously granted.

Approved April 16, 1981

CHAPTER 40 — H.F.No. 117

An act relating to general assistance; removing the presumption of eligibility from general assistance; providing that applications be permitted no later than four days after assistance is requested; requiring that determinations be made with respect to the need for emergency general assistance; providing that eligibility determinations for general assistance be made no later than 30 days following application; providing that the first general assistance grant be computed for eligible applicants from the time when assistance is requested; requiring vendor payments of grants until eligibility determinations are complete; amending Minnesota Statutes 1980, Sections 256D.07 and 256D.09, Subdivision 1.

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