

Sec. 10. Minnesota Statutes 1982, section 82.24, subdivision 6, is amended to read:

Subd. 6. **NOTICE OF TRUST ACCOUNT STATUS.** The names of the banks and industrial loan and thrift companies and the trust account numbers used by a broker shall be provided to the commissioner at the time of application for the broker's license. The broker shall immediately report to the commissioner any change of trust account status including changes in banks and industrial loan and thrift companies, account numbers, or additional accounts in the same or other banks and industrial loan and thrift companies. A broker shall not close an existing trust account without giving ten days written notice to the commissioner.

Sec. 11. **EFFECTIVE DATE.**

Sections 1 to 10 are effective the day following final enactment.

Approved April 25, 1984

CHAPTER 474 — S.F.No. 1776

An act relating to real property; providing that the mortgage and contract for deed moratorium shall not be repealed until May 1, 1985; allowing catastrophic medical expenses to be considered by a court when determining delay of foreclosure sale; providing that the equity in the property may be considered by a court; amending Minnesota Statutes 1983 Supplement, sections 47.20, subdivision 15; 559.21, subdivision 6; 580.031; 583.03; 583.05; and 583.08; Laws 1983, chapter 215, section 16.

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

Section 1. Minnesota Statutes 1983 Supplement, section 47.20, subdivision 15, is amended to read:

Subd. 15. Notwithstanding the provisions of any other law to the contrary, any notice of default on homestead property as defined in section 583.02, mailed after May 24, 1983 and prior to May 1, ~~1984~~ 1985, shall indicate that the borrower has 60 days from the date the notice is mailed in which to cure the default. The notice shall include a statement that the borrower may be eligible for an extension of the time prior to foreclosure and execution sale under sections 583.01 to 583.12.

Sec. 2. Minnesota Statutes 1983 Supplement, section 559.21, subdivision 6, is amended to read:

Subd. 6. **TEMPORARY MINIMUM NOTICE.** Notwithstanding the provisions of any other law to the contrary, no contract for conveyance of

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homestead property, as defined in section 583.02, shall terminate until 60 days after service of notice if the notice is served after May 24, 1983, and prior to May 1, 1984 1985, or 90 days after service of notice if the contract was entered into after May 1, 1980 and the contract vendee has paid 25 percent or more of the purchase price. The notice shall specify this 60- or 90-day period. The notice shall include a statement that the borrower may be eligible for an extension of the time prior to foreclosure and execution sale under sections 583.01 to 583.12. This section does not apply to earnest money contracts, purchase agreements or exercised options.

Sec. 3. Minnesota Statutes 1983 Supplement, section 580.031, is amended to read:

580.031 TEMPORARY MINIMUM NOTICE.

Notwithstanding the provisions of any other law to the contrary, eight weeks' published notice must be given prior to the foreclosure sale of a homestead, as defined in section 583.02, if the notice is published for the first time after May 24, 1983 and prior to May 1, 1984 1985. The notice must contain the information specified in section 580.04. At least ~~four~~ eight weeks before the appointed time of sale, a copy of the notice must be served upon the person in possession of the mortgaged premises, if the premises are actually occupied.

Sec. 4. Minnesota Statutes 1983 Supplement, section 583.03, is amended to read:

583.03 APPLICATION.

Subdivision 1. **PROPERTY COVERED.** The provisions of sections 47.20, subdivision 15, 559.21, subdivision 6, 580.031, and 583.01 to 583.12 apply to first mortgages secured by and contracts for deed conveying, homesteads within the meaning of section 583.02, including: (a) (1) mortgages held by the United States or by any agency, department, bureau, or instrumentality of the United States, as security or pledge of the mortgagor, its successors or assigns; and (b) (2) mortgages held as security or pledge to secure payment of a public debt or to secure payment of the deposit of public funds.

Subd. 2. **GENERAL EXCLUSION.** The provisions of sections 47.20, subdivision 15, 559.21, subdivision 6, 580.031, and 583.01 to 583.12 do not apply to mortgages or contracts for deed made after May 24, 1983, nor to mortgages or contracts for deed made before May 24, 1983, which are renewed or extended after May 24, 1983, for a period longer than one year, nor to mortgages, judgments, or contracts for deed, regardless of when made, if a second or subsequent mortgage is made against the property after May 24, 1983.

No court shall allow a stay, postponement, or extension of time that would cause any right to be lost or adversely affected by any statute of limitation.

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Sec. 5. Minnesota Statutes 1983 Supplement, section 583.05, is amended to read:

583.05 COURT MAY ORDER DELAY IN SALE; FINDINGS.

The court may consider the following criteria in determining whether or not to order a delay in the sale or contract termination:

(1) that the petitioner is unemployed, underemployed, facing catastrophic medical expenses, or facing economic problems due to low farm commodity prices; and

(2) that the petitioner has an inability to make payments on the mortgage or contract for deed.

If the court grants or denies a delay in the sale, the mortgagee shall publish notice of the new sale date as provided in section 580.03. Section 580.07 does not apply to foreclosure sales postponed by a court pursuant to sections 583.01 to 583.12.

Sec. 6. Minnesota Statutes 1983 Supplement, section 583.08, is amended to read:

583.08 PARTIAL PAYMENT.

The petition must also request the court to determine the reasonable value of the income on the property, or, if the property has no income, then the reasonable rental value of the property subject to the contract for deed or mortgage and must direct the contract vendee or mortgagor to pay all or a reasonable part of the income or rental value for the payment of taxes, insurance, interest or principal at the times and in the manner determined by the court. In determining the amount of income or rental value to be paid, the court may consider the relative financial conditions and resources of the parties, equity in the property held by the mortgagor or contract vendee, and the ability of the mortgagor or contract vendee to pay. The court shall hear the petition and after the hearing shall make and file its order directing the payment by the contract vendee or mortgagor of an amount at the times and in the manner that the court determines just and equitable. In the case of contracts for deed, the court shall insure that the payment required by the contract vendee is sufficient to adequately maintain the vendor's standard of living. If the mortgagor or contract vendee defaults in the payments ordered, the mortgagee may immediately commence foreclosure proceedings as provided in section 580.03, and the contract vendor may terminate the contract 30 days after the default. If default is claimed because of waste, the mortgagee or contract vendor may commence foreclosure proceedings or terminate the contract immediately after the filing of an order of the court finding the waste. No action shall be maintained for a deficiency judgment until the period of redemption as allowed by section 580.23, or by sections 583.01 to 583.12, has expired.

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Sec. 7. Laws 1983, chapter 215, section 16, is amended to read:

Sec. 16. **REPEALER.**

Sections 1 to 15 are repealed effective July 1, ~~1984~~ 1985, but any postponement or other relief ordered by a court continues to be valid for the period ordered by the court.

Sec. 8. **EFFECTIVE DATE.**

Sections 1 to 7 are effective May 1, 1984.

Approved April 25, 1984

CHAPTER 475 — S.F.No. 1849

An act relating to crimes; prohibiting the purchase or sale of human organs; amending Minnesota Statutes 1982, section 145.422, subdivision 3.

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

Section 1. Minnesota Statutes 1982, section 145.422, subdivision 3, is amended to read:

Subd. 3. Whoever ~~shall buy~~ buys or ~~sell~~ sells a living human conceptus ~~shall be or nonrenewable organ of the body is guilty of a gross misdemeanor, provided that.~~ Nothing ~~herein shall prohibit in this subdivision prohibits~~ (1) the buying and selling of a cell culture line or lines taken from a non-living human conceptus; (2) payments for reasonable expenses associated with the removal, storage, and transportation of a human organ, including payments made to or on behalf of a living organ donor for actual expenses such as medical costs, lost income, or travel expenses that are incurred as a direct result of the donation of the nonrenewable organ; or (3) financial assistance payments provided under insurance and medicare reimbursement programs.

Sec. 2. **EFFECTIVE DATE.**

Section 1 applies to crimes occurring on or after August 1, 1984.

Approved April 25, 1984

CHAPTER 476 — S.F.No. 1879

An act relating to agriculture; regulating the bulk sale of food; proposing new law coded in Minnesota Statutes, chapter 31.

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