

*instrument affecting real estate; amending Minnesota Statutes 1949, Section 507.18, Subdivision 1.*

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

Section 1. Minnesota Statutes 1949, Section 507.18, Subdivision 1, is amended to read:

507.18 **Certain restrictions.** Subdivision 1. **Religious faith, creed, race, color.** No written instrument hereafter made, relating to or affecting real estate, shall obtain any provision against conveying, mortgaging, encumbering, or leasing any real estate to any person of a specified religious faith, creed, *race or color*, nor shall any such written instrument contain any provision of any kind or character discriminating against any class of persons because of their religious faith, creed, *race or color*. In every such provision any form of expression or description which is commonly understood as designating or describing a religious faith, creed, *race or color* shall have the same effect as if its ordinary name were used therein.

Approved April 21, 1953.

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## CHAPTER 481—H. F. No. 213

[Coded]

*An act relating to the sale of personal property or services or both under pre-arranged funeral plans and requiring the proceeds thereof to be held in trust for the purposes intended; providing penalties for violations.*

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

Section 1. [526.21] **Pre-arranged funeral plans; contracts, trust funds.** Where prior to the death of a person, he or someone in his behalf makes a contract with another person for the final disposition of his body, by the terms of which, certain personal property will be delivered upon his death, pursuant to a pre-arranged funeral plan, or the professional services of a funeral director or embalmer will then be furnished or both, then the total of all money so paid by the terms of such contract shall be held in trust for the purpose for which it has been paid until the obligation of the contract is fulfilled according to its terms, or refunded to the person who made the payment or payments upon his demand. Accruals of interest upon the sum of money so held in trust are subject to the same trust.

Sec. 2. [526.22] **Deposit of trust funds.** Within 30 days after its receipt, any person holding money in trust under

section 1 shall deposit all of said money in a banking institution, or place the money in an account in a savings, building and loan association, organized under the laws of this state or of the United States of America, the deposits or accounts of which banking institution or association are insured by an instrumentality of the federal government. The money shall be carried in a separate account in the name of the depositor as trustee for the person who will receive the benefit of the property and services upon his death. Minnesota Statutes 1949, Sections 485.21 to 485.28 shall not apply to money deposited or received and held in trust pursuant to this act. All such money not used for the purpose intended upon the death of the cestui que trust shall revert to and become a part of his estate.

**Sec. 3. [526.23] Reports.** Where a banking institution or a savings, building and loan association has received money in trust, under section 2, it shall report the amount received and held in trust to the probate court of the county wherein the cestui que trust resides, within 30 days thereafter. This report shall show the name and address of each trustee and cestui que trust, the principal amount remaining, and the current interest rate applicable to such account.

**Sec. 4. [526.24] Violations.** Any person willfully violating the provisions of section 2 of this act shall be guilty of a gross misdemeanor and upon conviction therefor shall be punished as provided in section 610.19.

Approved April 21, 1953.

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## CHAPTER 482—H. F. No. 236

[Coded]

*An act to provide for an occupation tax on operators of coal docks and exempting coal handled by them from ad valorem taxes; also providing a penalty for failure to comply.*

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

**Section 1. [298.41] Occupation tax on coal dock operators.** Every person, co-partnership, association, company or corporation operating a coal dock in this state, other than a dock used solely in connection with an industry and handling no coal except that consumed by such industry, shall pay an annual occupation tax of a sum equal to one and one-half cents per ton upon all bituminous coal, coke, or briquets, and two cents per ton on all anthracite coal, coke or briquets handled by or over such coal dock during the preceding year