

SENATE

STATE OF MINNESOTA

EIGHTY-NINTH SESSION

S.F. No. 1722

(SENATE AUTHORS: THOMPSON)

DATE	D-PG	OFFICIAL STATUS
03/12/2015	784	Introduction and first reading Referred to Taxes
03/26/2015		Comm report: Amended, No recommendation, re-referred to Finance

A bill for an act
relating to property taxation; phasing out the state general levy over six years;
repealing the student achievement levy; amending Minnesota Statutes 2014,
sections 126C.13, subdivision 4; 275.025, subdivision 1; repealing Minnesota
Statutes 2014, section 126C.13, subdivisions 3a, 3b, 3c.

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

Section 1. Minnesota Statutes 2014, section 126C.13, subdivision 4, is amended to read:

Subd. 4. **General education aid.** ~~(a) For fiscal years 2013 and 2014 only, a district's general education aid is the sum of the following amounts:~~

~~(1) general education revenue, excluding equity revenue, total operating capital revenue, alternative teacher compensation revenue, and transition revenue;~~

~~(2) operating capital aid under section 126C.10, subdivision 13b;~~

~~(3) equity aid under section 126C.10, subdivision 30;~~

~~(4) alternative teacher compensation aid under section 126C.10, subdivision 36;~~

~~(5) transition aid under section 126C.10, subdivision 33;~~

~~(6) shared time aid under section 126C.01, subdivision 7;~~

~~(7) referendum aid under section 126C.17, subdivisions 7 and 7a; and~~

~~(8) online learning aid according to section 124D.096.~~

~~(b) For fiscal year 2015 and later, A district's general education aid equals:~~

~~(1) general education revenue, excluding operating capital revenue, equity revenue, local optional revenue, and transition revenue, minus the student achievement levy, multiplied times the ratio of the actual amount of student achievement levy levied to the permitted student achievement levy; plus~~

~~(2) equity aid under section 126C.10, subdivision 30; plus~~

~~(3) transition aid under section 126C.10, subdivision 33; plus~~

- (4) shared time aid under section 126C.10, subdivision 7; plus
- (5) referendum aid under section 126C.17, subdivisions 7 and 7a; plus
- (6) online learning aid under section 124D.096; plus
- (7) local optional aid according to section 126C.10, subdivision 2d, paragraph (d).

EFFECTIVE DATE. This section is effective for state aid for fiscal year 2017 and later.

Sec. 2. Minnesota Statutes 2014, section 275.025, subdivision 1, is amended to read:

Subdivision 1. **Levy amount.** The state general levy is levied against commercial-industrial property and seasonal residential recreational property, as defined in this section. The state general levy ~~base amount~~ is ~~\$592,000,000~~ \$768,900,000 for taxes payable in 2002. ~~For taxes payable in subsequent years, the levy base amount is increased each year by multiplying the levy base amount for the prior year by the sum of one plus the rate of increase, if any, in the implicit price deflator for government consumption expenditures and gross investment for state and local governments prepared by the Bureau of Economic Analysts of the United States Department of Commerce for the 12-month period ending March 31 of the year prior to the year the taxes are payable~~ 2016, \$683,500,000 for taxes payable in 2017, \$512,600,000 for taxes payable in 2018, \$341,700,000 for taxes payable in 2019, \$170,900,000 for taxes payable in 2020, and \$0 for taxes payable in 2021 and thereafter. The tax under this section is not treated as a local tax rate under section 469.177 and is not the levy of a governmental unit under chapters 276A and 473F.

The commissioner shall increase or decrease the preliminary or final rate for a year as necessary to account for errors and tax base changes that affected a preliminary or final rate for either of the two preceding years. Adjustments are allowed to the extent that the necessary information is available to the commissioner at the time the rates for a year must be certified, and for the following reasons:

- (1) an erroneous report of taxable value by a local official;
- (2) an erroneous calculation by the commissioner; and
- (3) an increase or decrease in taxable value for commercial-industrial or seasonal residential recreational property reported on the abstracts of tax lists submitted under section 275.29 that was not reported on the abstracts of assessment submitted under section 270C.89 for the same year.

The commissioner may, but need not, make adjustments if the total difference in the tax levied for the year would be less than \$100,000.

3.1 **EFFECTIVE DATE.** This section is effective beginning with taxes payable in 2016.

3.2 Sec. 3. **REPEALER.**

3.3 Minnesota Statutes 2014, section 126C.13, subdivisions 3a, 3b, and 3c, are repealed.

3.4 **EFFECTIVE DATE.** This section is effective for taxes payable in 2016 and
3.5 thereafter.

126C.13 GENERAL EDUCATION AID.

Subd. 3a. **Student achievement rate.** The commissioner must establish the student achievement rate by July 1 of each year for levies payable in the following year. The student achievement rate must be a rate, rounded up to the nearest hundredth of a percent, that, when applied to the adjusted net tax capacity for all districts, raises the amount specified in this subdivision. The student achievement rate must be the rate that raises \$20,000,000 for fiscal year 2015 and later years. The student achievement rate may not be changed due to changes or corrections made to a district's adjusted net tax capacity after the rate has been established.

Subd. 3b. **Student achievement levy.** To obtain general education revenue, a district may levy an amount not to exceed the student achievement rate times the adjusted net tax capacity of the district for the preceding year. If the amount of the student achievement levy would exceed the general education revenue, the student achievement levy must be determined according to subdivision 3c.

Subd. 3c. **Student achievement levy; districts off the formula.** (a) If the amount of the student achievement levy for a district exceeds the district's general education revenue, excluding operating capital revenue, equity revenue, and transition revenue, the amount of the student achievement levy must be limited to the district's general education revenue, excluding operating capital revenue, equity revenue, and transition revenue.

(b) A levy made according to this subdivision shall also be construed to be the levy made according to subdivision 3b.