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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 736

02/04/2021 Authored by O'Driscoll
The bill was read for the first time and referred to the Committee on Taxes

1.1 A bill for an act
1.2 relating to taxation; sales and use; modifying authorization for city of Sartell to
1.3 impose a food and beverage tax; amending Laws 2019, First Special Session
1.4 chapter 6, article 6, section 27.

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

1.6 Section 1. Laws 2019, First Special Session chapter 6, article 6, section 27, is amended
1.7 to read:

1.8 Sec. 27. CITY OF SARTELL; LOCAL TAXES AUTHORIZED.

1.9 Subdivision 1. Food and beverage tax authorized. Notwithstanding Minnesota Statutes,
1.10 section 297A.99 or 477A.016, or any ordinance or other provision of law, and if approved
1.11 by voters at the November 3, 2020, a general election, or at a special election held before
1.12 November 3, 2020 pursuant to a resolution adopted by its governing body, the city of Sartell
1.13 may, by ordinance, impose a sales tax of up to 1-1/2 percent on the gross receipts of all food
1.14 and beverages sold by a restaurant or place of refreshment, as defined by ordinance of the
1.15 city, that is located within the city. For purposes of this section, "food and beverages" include
1.16 retail on-sale of intoxicating liquor and fermented malt beverages.

1.17 Subd. 2. Use of proceeds from authorized taxes. The proceeds of the taxes imposed
1.18 under subdivision 1 must be used by the city to fund capital or operational costs for new
1.19 and existing recreational facilities and related amenities within the city. Authorized expenses
1.20 include securing or paying debt service on bonds or other obligations issued to finance
1.21 construction and improvement projects.

2.1        ~~Subd. 3. **Termination of taxes.** The tax imposed under subdivision 1 expires five years~~  
 2.2 ~~after the tax is first imposed.~~

2.3        Subd. 4. **Collection, administration, and enforcement.** The city may enter into an  
 2.4 agreement with the commissioner of revenue to administer, collect, and enforce the taxes  
 2.5 under subdivision 1. If the commissioner agrees to collect the tax, the provisions of Minnesota  
 2.6 Statutes, sections 270C.171 and 297A.99, related to collection, administration, and  
 2.7 enforcement apply.

2.8        **EFFECTIVE DATE.** This section is effective the day after the governing body of the  
 2.9 city of Sartell and its chief clerical officer comply with Minnesota Statutes, section 645.021,  
 2.10 subdivisions 2 and 3.