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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1791

04/19/2013 Authored by Newberger  
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; property; establishing an education property tax credit  
1.3 program; proposing coding for new law in Minnesota Statutes, chapter 273.

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

1.5 Section 1. **[273.90] EDUCATION PROPERTY TAX CREDIT.**

1.6 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms  
1.7 have the meanings given them.

1.8 (b) "Qualifying child" means a child who is: (1) at least five years old, but not  
1.9 older than 18 years; and (2) enrolled as a kindergarten through 12th grade student in a  
1.10 nonpublic school, or is receiving alternative homeschool instruction, in compliance with  
1.11 sections 120A.22 and 120A.24.

1.12 (c) "Qualifying owner" means a person who is: (1) liable for tax on homestead  
1.13 property under this chapter; (2) the parent or legal guardian of a qualifying child; and (3)  
1.14 pays education-related expenses for the qualifying child.

1.15 (d) "Education-related expenses" has the meaning given under section 290.0674

1.16 Subd. 2. **Eligibility; amount of credit.** A qualifying owner is due a credit against  
1.17 the tax levied on property under this chapter. The credit is equal to the lesser of: (1) the  
1.18 amount of education-related expenses for all qualifying children; or (2) the amount of  
1.19 property taxes designated as payable to a school district on the qualifying owner's property  
1.20 tax statement. A qualifying owner is not eligible for the credit if they are the parent or  
1.21 legal guardian of both a qualifying child and a child that attends public school.

1.22 Subd. 3. **Application.** To qualify for the tax credit, a qualifying owner must file  
1.23 with the county by January 2 of any year an application, signed by the qualifying owner,  
1.24 that includes sufficient information for the county auditor to compute and certify the credit

2.1 under subdivision 4. The application must include: (1) a statement that the person is a  
2.2 qualifying owner of the property; (2) the name and school enrollment information for any  
2.3 qualifying child for whom the qualifying owner has incurred education-related expenses;  
2.4 and (3) the amount of education-related expense the qualifying owner has incurred. The  
2.5 application shall be on a form prescribed by the commissioner of revenue and shall be  
2.6 verified by the school in which each child is enrolled, if applicable.

2.7 Subd. 4. **Credit provided; certification.** (a) The county auditor shall compute a  
2.8 credit for taxes payable in the year following the year in which a qualifying owner submits  
2.9 an application under subdivision 3. The county auditor shall certify the credits granted  
2.10 under this section to each school district. When the property of any qualifying person is  
2.11 assessable in several school districts, the credit in each school district shall be computed  
2.12 and certified separately.

2.13 (b) The county assessor shall indicate the amount of the property tax reduction on  
2.14 the property tax statement of each taxpayer receiving a credit under this section.

2.15 **EFFECTIVE DATE.** This section is effective for taxes payable in 2014 and  
2.16 thereafter.