

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 3156

03/17/2014 Authored by Petersburg; Hamilton; Poppe; Johnson, C., and Kresha
The bill was read for the first time and referred to the Committee on Taxes

A bill for an act

relating to taxation; sales and use; clarifying exemption on nonprofit tickets or admissions; amending Minnesota Statutes 2012, section 297A.70, subdivision 10.

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

Section 1. Minnesota Statutes 2012, section 297A.70, subdivision 10, is amended to read:

Subd. 10. **Nonprofit tickets or admissions.** (a) Tickets or admissions to an event are exempt if all the gross receipts are recorded as such, in accordance with generally accepted accounting principles, on the books of one or more organizations whose primary mission is to provide an opportunity for citizens of the state to participate in the creation, performance, or appreciation of the arts, and provided that each organization is:

(1) an organization described in section 501(c)(3) of the Internal Revenue Code in which voluntary contributions make up at least the following percent of the organization's annual revenue in its most recently completed 12-month fiscal year, or in the current year if the organization has not completed a 12-month fiscal year:

(i) for sales made after July 31, 2001, and before July 1, 2002, for the organization's fiscal year completed in calendar year 2000, three percent;

(ii) for sales made on or after July 1, 2002, and on or before June 30, 2003, for the organization's fiscal year completed in calendar year 2001, three percent;

(iii) for sales made on or after July 1, 2003, and on or before June 30, 2004, for the organization's fiscal year completed in calendar year 2002, four percent; and

(iv) for sales made in each 12-month period, beginning on July 1, 2004, and each subsequent year, for the organization's fiscal year completed in the preceding calendar year, five percent;

2.1 (2) a municipal board that promotes cultural and arts activities; or

2.2 (3) the University of Minnesota, a state college and university, or a private nonprofit
2.3 college or university provided that the event is held at a facility owned by the educational
2.4 institution holding the event.

2.5 The exemption only applies if the entire proceeds, after reasonable expenses, are used
2.6 solely to provide opportunities for citizens of the state to participate in the creation,
2.7 performance, or appreciation of the arts.

2.8 (b) Tickets or admissions to the premises of the Minnesota Zoological Garden are
2.9 exempt, provided that the exemption under this paragraph does not apply to tickets or
2.10 admissions to performances or events held on the premises unless the performance or
2.11 event is sponsored and conducted exclusively by the Minnesota Zoological Board or
2.12 employees of the Minnesota Zoological Garden.

2.13 (c) Tickets or admissions to a performance or event on the premises of a tax-exempt
2.14 organization under section 501(c)(3) of the Internal Revenue Code are exempt if:

2.15 (1) the nonprofit organization was established to preserve Minnesota's rural
2.16 agricultural heritage and focuses on educating the public about rural history and how
2.17 farms in Minnesota helped to provide food for the nation and the world;

2.18 (2) the premises of the nonprofit organization is at least 115 acres;

2.19 (3) the performance or event is sponsored and conducted exclusively by volunteers,
2.20 employees of the nonprofit organization, or members of the board of directors of the
2.21 nonprofit organization; and

2.22 (4) the performance or event is consistent with the nonprofit organization's purposes
2.23 under section 501(c)(3) of the Internal Revenue Code.

2.24 **EFFECTIVE DATE.** This section is effective retroactively for sales and purchases
2.25 made after December 31, 2007.