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State of Minnesota

HOUSE OF REPRESENTATIVES

A bill for an act

relating to taxation; property; establishing public safety aid for local governments

NINETY-SECOND SESSION

н. г. No. 4027

03/07/2022

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Authored by Frazier
The bill was read for the first time and referred to the Committee on Taxes

| 1.3 | and Tribal governments; appropriating money; proposing coding for new law in |
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| 1.4 | Minnesota Statutes, chapter 477A. |
| 1.5 | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA: |
| 1.6 | Section 1. [477A.0127] PUBLIC SAFETY AID. |
| 1.7 | Subdivision 1. Definitions. For purposes of this section, the following terms have the |
| 1.8 | meanings given: |
| 1.9 | (1) "City" means a statutory or home rule charter city that directly employs at least one |
| 1.10 | peace officer as defined under section 477C.01, subdivision 7, clauses (1), (3), and (4). |
| 1.11 | (2) "City per capita aid amount" equals the total amount allocated to cities under |
| 1.12 | subdivision 6, divided by the total population of every city. |
| 1.13 | (3) "County per capita aid amount" equals the total amount allocated to counties and |
| 1.14 | Tribal governments under subdivision 6, divided by the sum of the total population of every |
| 1.15 | county plus the total Tribal population but excluding the total population of every city. |
| 1.16 | (4) "Population" means population estimates made or conducted by the United States |
| 1.17 | Bureau of the Census, the Metropolitan Council pursuant to section 473.24, or by the state |
| 1.18 | demographer pursuant to section 4A.02, paragraph (d), whichever is the most recent estimate |
| 1.19 | and available as of January 1 of the year in which the aid is calculated. |
| 1.20 | (5) "Tribal governments" has the meaning given to "Minnesota Tribal governments" in |
| 1.21 | section 10.65, subdivision 2. |

Section 1. 1

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| 2.1 | (6) "Tribal population" means population estimates made or conducted by the United |
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| 2.2 | States Bureau of the Census of the federally recognized American Indian reservations and |
| 2.3 | off-reservation trust lands in Minnesota, whichever is the most recent estimate and available |
| 2.4 | as of January 1 of the year in which the aid is calculated. |
| 2.5 | Subd. 2. Distribution. The commissioner of revenue must distribute payments under |
| 2.6 | this section as follows: |
| 2.7 | (1) A county's public safety aid amount equals: |
| 2.8 | (i) the county's population minus the total population of every city located in that county, |
| 2.9 | times; |
| 2.10 | (ii) the county per capita aid amount. |
| 2.11 | (2) A Tribal government's public safety aid amount equals: |
| 2.12 | (i) the Tribe's population times; |
| 2.13 | (ii) the county per capita aid amount. |
| 2.14 | (3) A city's public safety aid amount equals: |
| 2.15 | (i) the city's population times; |
| 2.16 | (ii) the city per capita aid amount. |
| 2.17 | Subd. 3. Certification to commissioner. The commissioner of public safety must certify |
| 2.18 | to the commissioner of revenue, on or before June 1 each year, each city that meets the |
| 2.19 | definition of city in subdivision 1 as of January 1 of the aid calculation year. |
| 2.20 | Subd. 4. Use of aid. (a) Counties, Tribal governments, and cities that receive a distribution |
| 2.21 | under this section must use the aid to provide public safety including, but not limited to, |
| 2.22 | paying personnel and equipment costs. |
| 2.23 | (b) Counties must consult with their county sheriff in determining how to use the aid. |
| 2.24 | (c) Counties, Tribal governments, and cities that receive a distribution under this section |
| 2.25 | may not apply the aid toward: |
| 2.26 | (1) their employer contribution to the public employees police and fire fund, if that |
| 2.27 | county, Tribal government, or city received police state aid under chapter 477C in the year |
| 2.28 | immediately prior to a distribution under this section; or |
| 2.29 | (2) any costs associated with alleged wrongdoing or misconduct. |

Section 1. 2

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| 3.1 | Subd. 5. Payments. The commissioner of revenue must calculate the amount of public |
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| 3.2 | safety aid payable to each county, Tribal government, and city under this section. On or |
| 3.3 | before August 1 each year, the commissioner must certify the amount to be paid to each |
| 3.4 | county, Tribal government, and city in the following year. The commissioner must distribute |
| 3.5 | public safety aid in the same manner and at the same times as aid payments under section |
| 3.6 | 477A.015. For aid payable in 2022 only, the commissioner shall certify the amount to be |
| 3.7 | paid in 2022 to each county, Tribal government, and city by August 1, 2022, and the full |
| 3.8 | 2022 payment to the counties, Tribal governments, and cities must be made at the time |
| 3.9 | provided in section 477A.015 for the second installment of local government aid. |
| 3.10 | Subd. 6. Aid allocation. (a) The total amount of aid to be annually allocated to counties |
| 3.11 | and Tribal governments under this section is \$30,000,000. |
| 3.12 | (b) The total amount of aid to be annually allocated to cities under this section is |
| 3.13 | <u>\$70,000,000.</u> |
| 3.14 | Subd. 7. Redistribution of a city's public safety aid to a county. (a) Any statutory or |
| 3.15 | home rule charter city that receives a distribution under this section when that statutory or |
| 3.16 | home rule charter city did not meet the definition of city under subdivision 1 shall redistribute |
| 3.17 | those payments to the county where the statutory or home rule charter city is located. |
| 3.18 | (b) If a statutory or home rule charter city that must redistribute aid under paragraph (a) |
| 3.19 | is located in two or more counties, that statutory or home rule charter city shall redistribute |
| 3.20 | aid payments proportionally to each county where it is located based on the share of that |
| 3.21 | city's population in each county. |
| 3.22 | Subd. 8. Aid amount corrections. If, due to a clerical error, the amount certified by the |
| 3.23 | commissioner to a county, Tribal government, or city is less than the amount to which the |
| 3.24 | county, Tribal government, or city is entitled pursuant to this section, the commissioner of |
| 3.25 | revenue shall distribute additional aid payments in the same manner as additional aid |
| 3.26 | payments are made under section 477A.014. The additional payments shall be paid from |
| 3.27 | the general fund and shall not diminish the distributions made to other counties, Tribal |
| 3.28 | governments, and cities under this section. |
| 3.29 | Subd. 9. Appropriation. An amount sufficient to discharge the duties imposed under |
| 3.30 | this section is annually appropriated from the general fund to the commissioner of revenue. |
| 3.31 | EFFECTIVE DATE. This section is effective beginning with aid payable in 2022 and |
| 3.32 | thereafter. |

Section 1. 3