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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. **840**

02/06/2017 Authored by Drazkowski and Lucero  
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act  
1.2 relating to special assessments; defining "benefit" for the purposes of special  
1.3 assessments; amending Minnesota Statutes 2016, section 429.011, by adding a  
1.4 subdivision.

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

1.6 Section 1. Minnesota Statutes 2016, section 429.011, is amended by adding a subdivision  
1.7 to read:

1.8 Subd. 17. **Benefit.** "Benefit" means the increase in the fair market value of the real  
1.9 property as measured by the difference between what a willing buyer would pay a willing  
1.10 seller for the property before and after the improvement, based on the highest and best use  
1.11 of the land. Present use of the land is not the controlling factor in determining whether the  
1.12 land has received benefit from the improvement. The test is whether the land could be used  
1.13 for purposes that would benefit from the improvement.