

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 4026

(SENATE AUTHORS: INGEBRIGTSEN)

DATE
03/05/2020

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5255 Introduction and first reading
Referred to Taxes

OFFICIAL STATUS

1.1 A bill for an act
 1.2 relating to taxation; local sales and use; authorizing the city of Fergus Falls to
 1.3 impose a local sales and use tax.

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

1.5 Section 1. **CITY OF FERGUS FALLS; TAXES AUTHORIZED.**

1.6 Subdivision 1. Sales and use tax; authorization. Notwithstanding Minnesota Statutes,
 1.7 section 297A.99, subdivision 1, or 477A.016, or any other law, ordinance, or city charter,
 1.8 the city of Fergus Falls may, if approved by the voters at a general election held no later
 1.9 than November 8, 2022, impose, by ordinance, a sales and use tax of one-half of one percent
 1.10 for the purposes specified in subdivision 2. Except as otherwise provided in this section,
 1.11 the provisions of Minnesota Statutes, section 297A.99, govern the imposition, administration,
 1.12 collection, and enforcement of the tax authorized under this subdivision. The tax imposed
 1.13 under this subdivision is in addition to any local sales and use tax imposed under any other
 1.14 special law.

1.15 Subd. 2. Use of sales and use tax revenues. The revenues derived from the tax authorized
 1.16 under subdivision 1 must be used by the city of Fergus Falls to pay the costs of collecting
 1.17 and administering the tax and for the following projects in the city, including securing and
 1.18 paying debt service, on bonds issued to finance all or part of the following projects:

1.19 (1) \$7,800,000 for an aquatics center;

1.20 (2) \$2,500,000 for a regional trails project; and

1.21 (3) \$5,200,000 for the DeLagoon Improvement Project.

2.1 Subd. 3. **Bonding authority.** (a) The city of Fergus Falls may issue bonds under
2.2 Minnesota Statutes, chapter 475, to finance all or a portion of the costs of the facilities
2.3 authorized in subdivision 2, and approved by the voters as required under Minnesota Statutes,
2.4 section 297A.99, subdivision 3, paragraph (a). The aggregate principal amount of bonds
2.5 issued under this subdivision may not exceed:

2.6 (1) \$7,800,000 for the project listed in subdivision 2, clause (1), plus an amount needed
2.7 to pay capitalized interest and an amount to be applied to the payment of the costs of issuing
2.8 the bonds;

2.9 (2) \$2,500,000 for the project listed in subdivision 2, clause (2), plus an amount needed
2.10 to pay capitalized interest and an amount to be applied to the payment of the costs of issuing
2.11 the bonds; and

2.12 (3) \$5,200,000 for the project listed in subdivision 2, clause (3), plus an amount needed
2.13 to pay capitalized interest and an amount to be applied to the payment of the costs of issuing
2.14 the bonds.

2.15 (b) The bonds may be paid from or secured by any funds available to the city of Fergus
2.16 Falls, including the tax authorized under subdivision 1. The issuance of bonds under this
2.17 subdivision is not subject to Minnesota Statutes, sections 275.60 and 275.61.

2.18 (c) The bonds are not included in computing any debt limitation applicable to the city
2.19 of Fergus Falls, and any levy of taxes under Minnesota Statutes, section 475.61, to pay
2.20 principal and interest on the bonds is not subject to any levy limitation. A separate election
2.21 to approve the bonds under Minnesota Statutes, section 475.58, is not required.

2.22 Subd. 4. **Termination of taxes.** Subject to Minnesota Statutes, section 297A.99,
2.23 subdivision 12, the tax imposed under subdivision 1 expires at the earlier of (1) December
2.24 1, 2038, or (2) when the city council determines that the amount received from the tax is
2.25 sufficient to pay for the project costs authorized under subdivision 2 for projects approved
2.26 by voters as required under Minnesota Statutes, section 297A.99, subdivision 3, paragraph
2.27 (a), plus an amount sufficient to pay the costs related to issuance of any bonds authorized
2.28 under subdivision 3, including interest on the bonds. Except as otherwise provided in
2.29 Minnesota Statutes, section 297A.99, subdivision 3, paragraph (f), any funds remaining
2.30 after payment of the allowed costs due to the timing of the termination of the tax under
2.31 Minnesota Statutes, section 297A.99, subdivision 12, shall be placed in the general fund of
2.32 the city. The tax imposed under subdivision 1 may expire at an earlier time if the city so
2.33 determines by ordinance.

- 3.1 **EFFECTIVE DATE.** This section is effective the day after the governing body of the
- 3.2 city of Fergus Falls and its chief clerical officer comply with Minnesota Statutes, section
- 3.3 645.021, subdivisions 2 and 3.