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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 1378

02/16/2017 Authored by Dehn, R.; Davids and Lee
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; income; allowing a temporary refundable credit for historic
1.3 structure rehabilitation.

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

1.5 Section 1. CREDIT FOR JOB TRAINING CENTER REHABILITATION.

1.6 (a) A taxpayer is allowed a credit against the tax due under Minnesota Statutes, chapter
1.7 290, if the taxpayer rehabilitated and placed in service in calendar year 2015 a certified
1.8 historic structure that once served as a library, is located in a city of the first class, and was
1.9 placed on the National Register of Historic Places in 1977. The credit equals 20 percent of
1.10 the qualified rehabilitation expenditures for the project.

1.11 (b) The taxpayer must notify the commissioner within six months of when the project
1.12 is placed in service, and must provide documentation that the project meets the requirements
1.13 of this section, in the form and manner prescribed by the commissioner. The commissioner
1.14 must issue a credit certificate to the developer upon verifying that the project has been
1.15 placed in service and meets the requirements of this section.

1.16 (c) The recipient of a credit certificate may assign the certificate to another taxpayer,
1.17 including an insurance company, which is then allowed the credit under this section. An
1.18 assignment is not valid unless the assignee notifies the commissioner within 30 days of the
1.19 date the assignment is made. The commissioner shall prescribe the forms necessary for
1.20 notifying the commissioner of the assignment of a credit certificate and for claiming a credit
1.21 by assignment. In lieu of the credit under paragraph (a), an insurance company that is
1.22 assigned a credit under this paragraph may claim the credit against the insurance premiums
1.23 tax imposed under chapter 297I.

2.1 (d) Credits granted to a partnership, a limited liability company taxed as a partnership,
2.2 S corporation, or multiple owners of property are passed through to the partners, members,
2.3 shareholders, or owners, respectively, pro rata to each partner, member, shareholder, or
2.4 owner based on their share of the entity's assets or as specially allocated in their
2.5 organizational documents or any other executed agreement, as of the last day of the taxable
2.6 year.

2.7 (e) If the amount of credit that a taxpayer is eligible to receive under this section exceeds
2.8 the taxpayer's liability for tax under Minnesota Statutes, chapter 290, the commissioner
2.9 shall refund the excess to the taxpayer. If the amount of credit assigned to an insurance
2.10 company exceeds the liability for tax under chapter 297I, the commissioner shall refund
2.11 the excess to the insurance company. An amount sufficient to pay the refunds authorized
2.12 under this section is appropriated to the commissioner from the general fund.

2.13 (f) For purposes of this section, the following terms have the meanings given:

2.14 (1) "certified historic structure" has the meaning given in section 47(c)(3)(A) of the
2.15 Internal Revenue Code;

2.16 (2) "commissioner" means the commissioner of revenue;

2.17 (3) "qualified rehabilitation expenditures" means amounts chargeable to capital accounts
2.18 but does not include the cost of acquiring the structure or enlarging the structure; and

2.19 (4) "project" means rehabilitation of a certified historic structure that is located in
2.20 Minnesota.

2.21 **EFFECTIVE DATE.** This section is effective for taxable years beginning after December
2.22 31, 2016, and before January 1, 2018, for projects placed in service in calendar year 2015.