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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2104

03/07/2019 Authored by Haley, Lesch, Mahoney and Swedzinski
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; exempt entities; categorizing a nuclear decommissioning
1.3 reserve fund as an exempt entity; amending Minnesota Statutes 2018, section
1.4 290.05, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2018, section 290.05, subdivision 1, is amended to read:

1.7 Subdivision 1. Exempt entities. The following corporations, individuals, estates, trusts,
1.8 and organizations shall be exempted from taxation under this chapter, provided that every
1.9 such person or corporation claiming exemption under this chapter, in whole or in part, must
1.10 establish to the satisfaction of the commissioner the taxable status of any income or activity:

1.11 (a) corporations, individuals, estates, and trusts engaged in the business of mining or
1.12 producing iron ore and mining, producing, or refining other ores, metals, and minerals, the
1.13 mining, production, or refining of which is subject to the occupation tax imposed by section
1.14 298.01; but if any such corporation, individual, estate, or trust engages in any other business
1.15 or activity or has income from any property not used in such business it shall be subject to
1.16 this tax computed on the net income from such property or such other business or activity.
1.17 Royalty shall not be considered as income from the business of mining or producing iron
1.18 ore within the meaning of this section;

1.19 (b) the United States of America, the state of Minnesota or any political subdivision of
1.20 either agencies or instrumentalities, whether engaged in the discharge of governmental or
1.21 proprietary functions; and

2.1 (c) any insurance company, as defined in section 290.17, subdivision 4, paragraph (j),  
2.2 but including any insurance company licensed and domiciled in another state that grants,  
2.3 on a reciprocal basis, exemption from retaliatory taxes; and

2.4 (d) a Nuclear Decommissioning Reserve Fund, as defined in section 468A of the Internal  
2.5 Revenue Code.

2.6 **EFFECTIVE DATE.** This section is effective for taxable years beginning after December  
2.7 31, 2018.