

1.1 A bill for an act

1.2 relating to taxation; property; providing a property tax exemption for certain
1.3 property leased to charter schools; amending Minnesota Statutes 2008, section
1.4 272.02, subdivision 42.

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

1.6 Section 1. Minnesota Statutes 2008, section 272.02, subdivision 42, is amended to read:

1.7 Subd. 42. **Property leased to ~~school districts~~ schools.** (a) Property that is leased or
1.8 rented to a school district is exempt from taxation if it meets the following requirements:

1.9 (1) the lease must be for a period of at least 12 consecutive months;

1.10 (2) the terms of the lease must require the school district to pay a nominal
1.11 consideration for use of the building;

1.12 (3) the school district must use the property to provide direct instruction in any
1.13 grade from kindergarten through grade 12; special education for disabled children; adult
1.14 basic education as described in section 124D.52; preschool and early childhood family
1.15 education; or community education programs, including provision of administrative
1.16 services directly related to the educational program at that site; and

1.17 (4) the lease must provide that the school district has the exclusive use of the
1.18 property during the lease period.

1.19 (b) Property that is leased or rented to a charter school formed and operated under
1.20 section 124D.10 is exempt from taxation if it meets all of the following requirements:

1.21 (1) the lease is for a period of at least 12 consecutive months;

1.22 (2) the property is owned by (i) a nonprofit corporation or association exempt from
1.23 federal income tax under section 501(c)(2) or (3) of the Internal Revenue Code; (ii) a

S.F. No. 2833, as introduced - 86th Legislative Session (2009-2010) [10-5610]

2.1 public school district, college, or university; (iii) a private academy, college, university, or
2.2 seminary of learning; (iv) a church; or (v) the state or a political subdivision of the state;

2.3 (3) the charter school must use the property to provide (i) direct instruction in any
2.4 grade from kindergarten through grade 12; (ii) special education for disabled children; or
2.5 (iii) administrative services directly related to the educational program at that site; and

2.6 (4) except for lease provisions that allow for the shared use of the property by (i)
2.7 the charter school and another public or private school; (ii) the charter school and a
2.8 church; or (iii) the charter school and the state or a political subdivision of the state, the
2.9 lease must provide that the charter school has the exclusive right to use the property
2.10 during the lease period.

2.11 **EFFECTIVE DATE.** This section is effective for assessment year 2010 and
2.12 thereafter, for taxes payable in 2011 and thereafter.