

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1537

02/09/2023 Authored by 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; property; state general tax; excluding utility property from the
1.3 state general tax; reducing the state general levy amount; amending Minnesota
1.4 Statutes 2022, section 275.025, subdivisions 1, 2.

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

1.6 Section 1. Minnesota Statutes 2022, section 275.025, subdivision 1, is amended to read:

1.7 Subdivision 1. Levy amount. The state general levy is levied against
1.8 commercial-industrial property and seasonal residential recreational property, as defined
1.9 in this section. The state general levy for commercial-industrial property is \$716,990,000
1.10 for taxes payable in 2023 and thereafter. The state general levy for commercial-industrial
1.11 property is \$620,530,000 for taxes payable in 2024 and thereafter. The state general levy
1.12 for seasonal-recreational property is \$41,690,000 for taxes payable in 2020 and thereafter.
1.13 The tax under this section is not treated as a local tax rate under section 469.177 and is not
1.14 the levy of a governmental unit under chapters 276A and 473F.

1.15 The commissioner shall increase or decrease the preliminary or final rate for a year as
1.16 necessary to account for errors and tax base changes that affected a preliminary or final rate
1.17 for either of the two preceding years. Adjustments are allowed to the extent that the necessary
1.18 information is available to the commissioner at the time the rates for a year must be certified,
1.19 and for the following reasons:

- 1.20 (1) an erroneous report of taxable value by a local official;
1.21 (2) an erroneous calculation by the commissioner; and

2.1 (3) an increase or decrease in taxable value for commercial-industrial or seasonal
 2.2 residential recreational property reported to the commissioner under section 270C.85,
 2.3 subdivision 2, clause (4), for the same year.

2.4 The commissioner may, but need not, make adjustments if the total difference in the tax
 2.5 levied for the year would be less than \$100,000.

2.6 **EFFECTIVE DATE.** This section is effective for property taxes payable in 2024 and
 2.7 thereafter.

2.8 Sec. 2. Minnesota Statutes 2022, section 275.025, subdivision 2, is amended to read:

2.9 Subd. 2. **Commercial-industrial tax capacity.** For the purposes of this section,
 2.10 "commercial-industrial tax capacity" means the tax capacity of all taxable property classified
 2.11 as class 3 or class 5(1) under section 273.13, excluding:

2.12 (1) the tax capacity attributable to the first \$150,000 of market value of each parcel of
 2.13 commercial-industrial property as defined under section 273.13, subdivision 24, clauses (1)
 2.14 and (2);

2.15 (2) electric generation attached machinery under class 3; ~~and~~

2.16 (3) property described in section 473.625; and

2.17 (4) utility real and personal property.

2.18 County commercial-industrial tax capacity amounts are not adjusted for the captured
 2.19 net tax capacity of a tax increment financing district under section 469.177, subdivision 2,
 2.20 the net tax capacity of transmission lines deducted from a local government's total net tax
 2.21 capacity under section 273.425, or fiscal disparities contribution and distribution net tax
 2.22 capacities under chapter 276A or 473F. For purposes of this subdivision, the procedures
 2.23 for determining eligibility for tier 1 under section 273.13, subdivision 24, clauses (1) and
 2.24 (2), shall apply in determining the portion of a property eligible to be considered within the
 2.25 first \$150,000 of market value.

2.26 **EFFECTIVE DATE.** This section is effective for assessment year 2023 and thereafter.