

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 5394

(SENATE AUTHORS: DORNINK)

DATE
04/09/2024

D-PG
13581 Introduction and first reading
Referred to Taxes

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to local taxes; authorizing a local sales and use tax in the city of Austin.
1.3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.4 Section 1. **CITY OF AUSTIN; TAXES AUTHORIZED.**

1.5 Subdivision 1. Sales and use tax authorization. Notwithstanding Minnesota Statutes,
1.6 section 297A.99, subdivisions 1, 2, and 3a, or 477A.016, or any other law, ordinance, or
1.7 city charter, and if approved by the voters at an election as required under Minnesota Statutes,
1.8 section 297A.99, subdivision 3, the city of Austin may impose by ordinance a sales and use
1.9 tax of one-half of one percent for the purpose specified in subdivision 2. Except as otherwise
1.10 provided in this section, the provisions of Minnesota Statutes, section 297A.99, govern the
1.11 imposition, administration, collection, and enforcement of the tax authorized under this
1.12 subdivision. The tax imposed under this subdivision is in addition to any local sales and
1.13 use tax imposed under any other special law.

1.14 Subd. 2. Use of sales and use tax revenues. Notwithstanding Minnesota Statutes, section
1.15 297A.99, subdivision 3, paragraphs (b) and (c), the revenues derived from the tax authorized
1.16 under subdivision 1 must be used by the city of Austin to pay the costs of collecting and
1.17 administering the tax, and to finance up to \$25,000,000, plus associated bonding costs, for
1.18 the construction and operation of a law enforcement center.

1.19 Subd. 3. Bonding authority. (a) The city of Austin may issue bonds under Minnesota
1.20 Statutes, chapter 475, to finance the costs of the facility authorized in subdivision 2. The
1.21 aggregate principal amount of bonds issued under this subdivision may not exceed
1.22 \$25,000,000 for the project listed in subdivision 2, plus an amount to be applied to the

2.1 payment of the costs of issuing the bonds. The bonds may be paid from or secured by any
2.2 funds available to the city, including the tax authorized under subdivision 1. The issuance
2.3 of bonds under this subdivision is not subject to Minnesota Statutes, sections 275.60 and
2.4 275.61.

2.5 (b) The bonds are not included in computing any debt limitation applicable to the city,
2.6 and any levy of taxes under Minnesota Statutes, section 475.61, to pay principal and interest
2.7 on the bonds is not subject to any levy limitation. A separate election to approve the bonds
2.8 under Minnesota Statutes, section 475.58, is not required.

2.9 Subd. 4. **Termination of taxes.** Subject to Minnesota Statutes, section 297A.99,
2.10 subdivision 12, the tax imposed under subdivision 1 expires at the earlier of: (1) 14 years
2.11 after the tax is first imposed; or (2) when the city determines that the amount received from
2.12 the tax is sufficient to pay \$25,000,000 in project costs authorized under subdivision 2, plus
2.13 an amount sufficient to pay the costs related to issuance of any bonds authorized under
2.14 subdivision 3, including interest on the bonds. Except as otherwise provided in Minnesota
2.15 Statutes, section 297A.99, subdivision 3, paragraph (f), any funds remaining after payment
2.16 of the allowed costs due to the timing of the termination of the tax under Minnesota Statutes,
2.17 section 297A.99, subdivision 12, shall be placed in the general fund of the city. The tax
2.18 imposed under subdivision 1 may expire at an earlier time if the city so determines by
2.19 ordinance.

2.20 **EFFECTIVE DATE.** This section is effective the day after the governing body of the
2.21 city of Austin and its chief clerical officer comply with Minnesota Statutes, section 645.021,
2.22 subdivisions 2 and 3.