

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 2980

(SENATE AUTHORS: ANDERSON, Newman, Ingebrigtsen and Brown)

DATE	D-PG	OFFICIAL STATUS
05/09/2014	8997	Introduction and first reading Referred to Taxes

1.1 A bill for an act
 1.2 relating to taxation; property; phasing out the state general levy; amending
 1.3 Minnesota Statutes 2012, section 275.025, subdivision 1; repealing Minnesota
 1.4 Statutes 2012, section 275.025.

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

1.6 Section 1. Minnesota Statutes 2012, 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 in
 1.9 this section. The state general levy ~~base amount~~ is ~~\$592,000,000~~ \$567,800,000 for taxes
 1.10 payable in ~~2002~~ 2015, and \$283,900,000 for taxes payable in 2016. ~~For taxes payable in~~
 1.11 ~~subsequent years, the levy base amount is increased each year by multiplying the levy base~~
 1.12 ~~amount for the prior year by the sum of one plus the rate of increase, if any, in the implicit~~
 1.13 ~~price deflator for government consumption expenditures and gross investment for state~~
 1.14 ~~and local governments prepared by the Bureau of Economic Analysts of the United States~~
 1.15 ~~Department of Commerce for the 12-month period ending March 31 of the year prior to the~~
 1.16 ~~year the taxes are payable.~~ The tax under this section is not treated as a local tax rate under
 1.17 section 469.177 and is not the levy of a governmental unit under chapters 276A and 473F.

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

- 1.23 (1) an erroneous report of taxable value by a local official;
 1.24 (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 on the abstracts of tax lists submitted under
2.3 section 275.29 that was not reported on the abstracts of assessment submitted under
2.4 section 270C.89 for the same year.

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

2.7 **EFFECTIVE DATE.** This section is effective beginning with taxes payable in 2015.

2.8 Sec. 2. **REPEALER.**

2.9 Minnesota Statutes 2012, section 275.025, is repealed.

2.10 **EFFECTIVE DATE.** This section is effective beginning with taxes payable in 2017.

275.025 STATE GENERAL TAX.

Subdivision 1. **Levy amount.** The state general levy is levied against commercial-industrial property and seasonal residential recreational property, as defined in this section. The state general levy base amount is \$592,000,000 for taxes payable in 2002. For taxes payable in subsequent years, the levy base amount is increased each year by multiplying the levy base amount for the prior year by the sum of one plus the rate of increase, if any, in the implicit price deflator for government consumption expenditures and gross investment for state and local governments prepared by the Bureau of Economic Analysts of the United States Department of Commerce for the 12-month period ending March 31 of the year prior to the year the taxes are payable. The tax under this section is not treated as a local tax rate under section 469.177 and is not the levy of a governmental unit under chapters 276A and 473F.

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

- (1) an erroneous report of taxable value by a local official;
- (2) an erroneous calculation by the commissioner; and
- (3) an increase or decrease in taxable value for commercial-industrial or seasonal residential recreational property reported on the abstracts of tax lists submitted under section 275.29 that was not reported on the abstracts of assessment submitted under section 270C.89 for the same year.

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

Subd. 2. **Commercial-industrial tax capacity.** For the purposes of this section, "commercial-industrial tax capacity" means the tax capacity of all taxable property classified as class 3 or class 5(1) under section 273.13, except for electric generation attached machinery under class 3 and property described in section 473.625. County commercial-industrial tax capacity amounts are not adjusted for the captured net tax capacity of a tax increment financing district under section 469.177, subdivision 2, the net tax capacity of transmission lines deducted from a local government's total net tax capacity under section 273.425, or fiscal disparities contribution and distribution net tax capacities under chapter 276A or 473F.

Subd. 3. **Seasonal residential recreational tax capacity.** For the purposes of this section, "seasonal residential recreational tax capacity" means the tax capacity of tier III of class 1c under section 273.13, subdivision 22, and all class 4c(1), 4c(3)(ii), and 4c(12) property under section 273.13, subdivision 25, except that the first \$76,000 of market value of each noncommercial class 4c(12) property has a tax capacity for this purpose equal to 40 percent of its tax capacity under section 273.13.

Subd. 4. **Apportionment and levy of state general tax.** Ninety-five percent of the state general tax must be levied by applying a uniform rate to all commercial-industrial tax capacity and five percent of the state general tax must be levied by applying a uniform rate to all seasonal residential recreational tax capacity. On or before October 1 each year, the commissioner of revenue shall certify the preliminary state general levy rates to each county auditor that must be used to prepare the notices of proposed property taxes for taxes payable in the following year. By January 1 of each year, the commissioner shall certify the final state general levy rate to each county auditor that shall be used in spreading taxes.