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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2126

02/25/2014 Authored by Quam and Pugh
The bill was read for the first time and referred to the Committee on Government Operations

A bill for an act

relating to local government; requiring counties and cities to have written procedures for charging and collecting fees that are available to the public and provide notice to the payor; proposing coding for new law in Minnesota Statutes, chapter 471.

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

Section 1. **[471.198] FEE POLICIES AND PROCEDURES AVAILABLE TO THE PUBLIC.**

Subdivision 1. **Fee policies.** A county or home rule charter or statutory city must have on file in the applicable county or city office clear policies, procedures, forms, deadlines, due dates, and other payment requirements relating to any fee charged to a person by the county or the city. The information must be contained in a policies and operations manual and be available for use for employee training and reference and for inspection by the public at the office or on a county or city Web site. If used, the Web site must include the location where information about this fee is available and where the fee must be paid. Otherwise, that information must be available at the city clerk's office or other county office designated by the county board. In addition, before or at the time the fee is charged, the county or city must provide to the obligor any required form and all other payment information, including any information required to complete the form, the due dates of payments, any other requirements, and the consequences of late payment or nonpayment of the fee. The county or city must stamp or keep a contemporary record of the dates and amounts of payments received by the county or city, which must be made available to the payor. All payments must be credited as paid on the date payment is received.

Subd. 2. **Definition.** (a) For purposes of this section, "fee" means any charge or obligation, including penalties and interest, charged by the county or city for a service,

2.1 license, permit, use, record, or privilege that is to be paid directly to the county or city.
2.2 Fee specifically includes child support obligations, recording taxes and fees, and similar
2.3 charges for which the county or city acts as an agent of the state.

2.4 (b) Fee does not include:

2.5 (1) any amounts levied against the valuation of real property or to increases
2.6 in valuation from improvements to real property, such as property taxes and special
2.7 assessments, or to any amounts which have become a lien, or tax assessed on real property
2.8 by the county or city; and

2.9 (2) police, sheriff, or other law enforcement fines, bail, or other charges unless
2.10 approved by the chief law enforcement officer of the county or city and by the governing
2.11 body of the county or city.