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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2305

03/01/2023 Authored by Harder
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 local taxes; authorizing the city of Henderson to impose a local sales
1.3 and use tax.

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

1.5 Section 1. CITY OF HENDERSON; TAXES AUTHORIZED.

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

1.15 Subd. 2. Use of sales and use tax revenues. The revenues derived from the tax authorized
1.16 under subdivision 1 must be used by the city of Henderson to pay the costs of collecting
1.17 and administering the tax, and to finance up to \$250,000 for the Allanson's Park Campground
1.18 and Trail project. Authorized project costs include improvements to trails, improvements
1.19 to the park campground and related facilities, utility improvements, handicap access
1.20 improvements, and other improvements related to linkage to other local trails, as well as
1.21 the associated bond costs for any bonds issued under subdivision 3.

1.22 Subd. 3. Bonding authority. (a) The city of Henderson may issue bonds under Minnesota
1.23 Statutes, chapter 475, to finance up to \$250,000 of the portion of the costs of the project

2.1 authorized in subdivision 2, and approved by the voters as required under Minnesota Statutes,
2.2 section 297A.99, subdivision 3, paragraph (a). The aggregate principal amount of bonds
2.3 issued under this subdivision may not exceed \$250,000 plus an amount to be applied to the
2.4 payment of the costs of issuing the bonds. The bonds may be paid from or secured by any
2.5 funds available to the city of Henderson, including the tax authorized under subdivision 1.
2.6 The issuance of bonds under this subdivision is not subject to Minnesota Statutes, sections
2.7 275.60 and 275.61.

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

2.12 Subd. 4. **Termination of taxes.** Subject to Minnesota Statutes, section 297A.99,
2.13 subdivision 12, the tax imposed under subdivision 1 expires at the earlier of: (1) 15 years
2.14 after the tax is first imposed; or (2) when the city council determines that the amount received
2.15 from the tax is sufficient to pay for the project costs authorized under subdivision 2 for
2.16 projects approved by voters as required under Minnesota Statutes, section 297A.99,
2.17 subdivision 3, paragraph (a), plus an amount sufficient to pay the costs related to issuance
2.18 of any bonds authorized under subdivision 3, including interest on the bonds. Except as
2.19 otherwise provided in Minnesota Statutes, section 297A.99, subdivision 3, paragraph (f),
2.20 any funds remaining after payment of the allowed costs due to the timing of the termination
2.21 of the tax under Minnesota Statutes, section 297A.99, subdivision 12, shall be placed in the
2.22 general fund of the city. The tax imposed under subdivision 1 may expire at an earlier time
2.23 if the city so determines by ordinance.

2.24 **EFFECTIVE DATE.** This section is effective the day after the governing body of the
2.25 city of Henderson and its chief clerical officer comply with Minnesota Statutes, section
2.26 645.021, subdivisions 2 and 3.