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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **4528**

03/23/2022 Authored by Bahner
The bill was read for the first time and referred to the Committee on Education Finance

1.1 A bill for an act
1.2 relating to education finance; authorizing a school district to levy for certain costs
1.3 associated with data requests; amending Minnesota Statutes 2020, section 126C.43.

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

1.5 Section 1. Minnesota Statutes 2020, section 126C.43, is amended to read:

1.6 **126C.43 LEVIES; STATUTORY OBLIGATIONS.**

1.7 Subdivision 1. **Allocation of assets and liabilities.** A district may levy the amount
1.8 authorized for liabilities of dissolved districts pursuant to section 123A.67.

1.9 Subd. 2. **Payment to unemployment insurance program trust fund by state and**
1.10 **political subdivisions.** (a) A district may levy the amount necessary (1) to pay the district's
1.11 obligations under section 268.052, subdivision 1, and (2) to pay for job placement services
1.12 offered to employees who may become eligible for benefits pursuant to section 268.085 for
1.13 the fiscal year the levy is certified.

1.14 (b) Districts with a balance remaining in their reserve for reemployment as of June 30,
1.15 2003, may not expend the reserved funds for future reemployment expenditures. Each year
1.16 a levy reduction must be made to return these funds to taxpayers. The amount of the levy
1.17 reduction must be equal to the lesser of: (1) the remaining reserved balance for reemployment,
1.18 or (2) the amount of the district's current levy under paragraph (a).

1.19 Subd. 3. **Tax levy for judgment.** A district may levy the amount necessary to pay
1.20 judgments against the district under section 123B.25 that became final after the date the
1.21 district certified its proposed levy in the previous year. With the approval of the
1.22 commissioner, a district may spread this levy over a period not to exceed three years. Upon

2.1 approval through the adoption of a resolution by each of an intermediate district's member
2.2 school district boards, a member school district may include its proportionate share of the
2.3 costs of a judgment against an intermediate school district that became final under section
2.4 123B.25 after the date that the earliest member school district certified its proposed levy in
2.5 the previous year. With the approval of the commissioner, an intermediate school district
2.6 member school district may spread this levy over a period not to exceed three years.

2.7 Subd. 3a. **Tax levy for data requests.** (a) A district may levy the amount necessary to
2.8 compensate for personnel time spent redacting educational data classified as private data
2.9 on individuals under section 13.32 in response to a public data request under section 13.03.
2.10 In calculating the cost of personnel time under this subdivision, a district must use the salary
2.11 and benefit rate of the lowest paid staff who could complete the redactions or, if contracted
2.12 legal services are required, at the district's standard cost for contracted legal services.

2.13 (b) Upon approval through adoption of a resolution by each school board that is a member
2.14 of an intermediate school board, the member school district may include in its levy the
2.15 proportionate share of the personnel costs compensable under this subdivision associated
2.16 with a data request made to an intermediate school district.

2.17 (c) With the approval of the commissioner, a district may spread this levy over a period
2.18 not to exceed three years.

2.19 (d) This subdivision applies to costs incurred by a school district or intermediate school
2.20 district after January 1, 2021.

2.21 Subd. 4. **Levy limitations of reorganized districts.** A district may levy the amounts
2.22 authorized by section 123A.73.

2.23 Subd. 5. **Expenses of transition; dissolved district.** A district may levy the amounts
2.24 necessary to pay the district's obligations under section 123A.76.

2.25 Subd. 6. **Teacher severance pay.** A district may levy for severance pay required by
2.26 sections 124D.05, subdivision 3, and 123A.30, subdivision 6.

2.27 **EFFECTIVE DATE.** This section is effective for taxes payable in 2023 and later.