

CHAPTER 273

TAXES; LISTING, ASSESSMENT

<p>Sec. 273.01 Listing and assessment, <b>time</b> 273.015 Tax computed to nearest even numbered cent 273.02 Omitted property 273.03 Real estate; assessment; method 273.04 Assessors, <b>compensation</b> 273.05 Assessors; appointment, term, bond and oath 273.051 City assessors, term 273.06 Deputy assessors 273.061 Establishment of office for each county 273.062 Valuation and assessment of personal property 273.063 Application; limitations 273.072 Agreements for joint assessment 273.08 Assessor's duties 273.10 School districts 273.11 Valuation of property 273.111 Agricultural property tax 273.12 Assessment of real property 273.13 Classification of property 273.133 Treatment of cooperatives and charitable corporations 273.14 Definitions 273.15 Classifications of low-grade iron ore 273.16 Determination of classification 273.17 Assessment of real property in odd-numbered years 273.18 Listing, valuation, and assessment of exempt property by county auditors 273.19 Lessees and equitable owners 273.20 Assessor may enter dwellings, buildings, or structures 273.21 Neglect by auditor or assessor; penalty 273.22 Personal property listed 273.23 Merchants; consignees 273.24 Manufacturers 273.25 Lists to be verified 273.26 Personality; where listed 273.27 Certain personal property; where listed 273.28 Capital stock and franchises 273.29 Merchants and manufacturers 273.30 Farm property of nonresident 273.31 Grain in elevators 273.32 Elevators and warehouses on railroad 273.33 Express, stage and transportation companies; pipe lines</p>	<p>Sec. 273.34 Water-craft not navigating international waters 273.35 Gas and water companies 273.36 Electric light and power companies 273.37 Companies supplying electric power 273.38 Percentage of assessments; exceptions 273.39 Rural area 273.40 Annual tax on cooperative associations 273.41 Amount of tax; distribution 273.42 Rate of tax; entry and certification; credit on payment 273.43 Personal property of certain companies, where listed 273.44 Estates of decedents 273.45 Persons under guardianship 273.46 Assignees and receivers 273.47 Property moved between May and July 273.48 Where listed in case of doubt 273.49 Forms for listing; assessor to value 273.50 Lists may be destroyed 273.52 Private bankers, brokers, and banks without stock 273.53 Assessment of bank and mortgage loan company stocks; basis and percentage of valuation 273.54 Records of stockholders 273.55 Deduction of taxes before declaring dividend 273.56 Assessment of investment company shares 273.57 Bank stock, taxation 273.58 Securing of tax 273.59 Banks; list of stockholders 273.60 Assessment of shares of joint stock land banks 273.61 Place of assessment; lists and statements; basis of valuation 273.62 Lists of stockholders 273.63 Deduction of tax before declaring dividend 273.64 Apportionment of taxes 273.65 Failure to list; examination under oath; duties of assessor 273.66 Owner absent or sick 273.67 Procedure when owner does not list or is not sworn 273.68 Failure to obtain list 273.69 Informational certifications to state auditor; apportionment of funds</p>
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**273.01 LISTING AND ASSESSMENT, TIME.** All real property subject to taxation shall be listed and assessed every even numbered year with reference to its value on January 2 preceding the assessment, and all real property becoming taxable any intervening year shall be listed and assessed with reference to its value on January 2 of that year. Real property containing iron ore, the fee to which is owned by the state of Minnesota, shall, if leased by the state after January 2 in any year, be subject to assessment for that year on the value of any iron ore removed under said lease prior to January 2 of the following year. Personal property subject to taxation shall be listed and assessed annually with reference to its value on May 1st; and, if acquired on that day, shall be listed by or for the person acquiring it.

[R L s 802; 1945 c 485 s 1; Ex1959 c 70 art 1 s 1; 1965 c 624 s 1] (1984)

**273.015 TAX COMPUTED TO NEAREST EVEN NUMBERED CENT.** Subdivision 1. All tax page items computed by the county auditor for collection by the county treasurer, shall be adjusted individually and in their aggregate to the nearest even numbered cent. Further, all items which are certified to the county auditor for collection by the county treasurer shall be first adjusted to the nearest even numbered cent by the governmental subdivision which submits such certifications. For the purposes of this section whole odd numbered cents shall be adjusted to the next higher even numbered cent.

Subd. 2. The provisions of this section shall apply only to computations and certifications made after the effective date of Laws 1961, Chapter 414.

[1961 c 414 s 1, 2]

**273.02 OMITTED PROPERTY.** Subdivision 1. **Discovery.** If any real or personal property be omitted in the assessment of any year or years, and the property thereby escape taxation, or if any real property be undervalued by reason of failure to take into consideration the existence of buildings or improvements thereon, or be erroneously classified as a homestead, when such omission, undervaluation or erroneous classification is discovered the county auditor shall in the case of omitted property enter such property on the assessment and tax books for the year or years omitted, and in the case of property undervalued by reason of failure to take into consideration the existence of buildings or improvements thereon, or property erroneously classified as a homestead, shall correct the valuation or classification thereof on the assessment and tax books; and he shall assess the property, and extend against the same on the tax list for the current year all arrearage of taxes properly accruing against it, including therein, in the case of personal property taxes, interest thereon at the rate of seven percent per annum from the time such taxes would have become delinquent, when the omission was caused by the failure of the owner to list the same. If any tax on any property liable to taxation is prevented from being collected for any year or years by reason of any erroneous proceedings, undervaluation by reason of failure to take into consideration the existence of buildings or improvements, erroneous classification as a homestead, or other cause, the amount of such tax which such property should have paid shall be added to the tax on such property for the current year.

Subd. 2. **Limitation.** Nothing in Laws 1943, Chapter 632, as amended shall authorize the county auditor to enter omitted property on the assessment and tax books more than six years after the assessment date of the year in which the property was originally assessed or should have been assessed and nothing in Laws 1943, Chapter 632, as amended, shall authorize the county auditor to correct the valuation or classification of real property as herein provided more than one year after December 1 of the year in which the property was assessed or should have been assessed.

Subd. 3. **What rights not affected.** Nothing in Laws 1943, Chapter 632, shall affect any rights in undervalued or erroneously classified property, acquired for value in good faith prior to the correction of the assessed value thereof by the county auditor as provided in this section. Any person whose rights are adversely affected by any action of the county auditor as provided in this subdivision may apply for a reduction of the assessed valuation under the provisions of section 270.07, relating to the powers of the commissioner of taxation.

[*R L s 803; 1943 c 632 s 1; 1945 c 415 s 1; 1965 c 624 s 7*] (1985)

**273.03 REAL ESTATE; ASSESSMENT; METHOD.** Subdivision 1. The county auditor shall annually provide the necessary assessment books and blanks at the expense of the county, for and to correspond with each assessment district. He shall make out, in the real property assessment book, complete lists of all lands or lots subject to taxation, showing the names of the owners, if to him known; and, if unknown, so stated opposite each tract or lot, the number of acres, and the lots or parts of lots or blocks, included in each description of property. The list of real property becoming subject to assessment and taxation every odd-numbered year may be appended to the personal property assessment book. The assessment books and blanks for real property shall be in readiness for delivery to the assessors on or before the first Monday in December of each year. The assessment books and blanks for personal property shall be in readiness for delivery to the assessors on or before the third Monday in April of each year.

The assessors and at least one member of each local board of review shall meet at the office of the county auditor on a day to be fixed by the commissioner of taxation for the purpose of receiving instructions as to their duties under the laws of the state. Each assessor and board of review member attending such meetings shall receive as compensation for such service the sum of \$10 per day for each day necessarily consumed in attending such meeting, and mileage at the rate of 7½ cents per mile for each mile necessarily traveled in going from his home to and returning from the county-seat, to be computed by the usually traveled route, and paid out of the county treasury upon the warrant of the county auditor.

Subd. 2. Any county in this state which employs a county assessor who maintains in his office a unit card ledger system or similar system of real estate and

# MINNESOTA STATUTES 1967

the true and full and assessed valuations ascertained by him affecting such real estate, and which county has established an electronic data processing system or similar system to perform the processing of assessment and tax accounting, may discontinue the preparation of assessment books as provided in subdivision 1. The election to discontinue the preparation of assessment books as defined in subdivision 1 shall be made by the county auditor with the written approval of the commissioner of taxation.

Subd. 3. All laws or parts of laws, now or hereafter effective, not inconsistent with sections 273.03, 273.17, 274.04, 274.05, 275.28, and 276.01, as amended, shall continue in full force and effect.

[1905 c 86; 1913 c 503; 1917 c 297; 1921 c 86; 1947 c 331 s 1; 1963 c 781 s 1; 1965 c 624 s 2] (1986)

**273.04 ASSESSORS, COMPENSATION.** In all towns and cities other than cities of the first class and cities having home rule charters authorizing compensation in excess of that permitted by this section which are situated in counties having not less than 450,000 inhabitants and an assessed valuation, including money and credits, of more than \$450,000,000, the assessor and each deputy assessor of each such town and city, shall be entitled to a rate of compensation established by the governing body, of not less than \$7.50 and not more than \$12.50 for each days service necessarily rendered by him, not exceeding 120 days in any one year, and mileage at the rate of 7½ cents per mile for each mile necessarily traveled by him in going to and returning from the county seat of such county to attend any meeting of the assessors of such county which may be legally called by the commissioner of taxation and also for each mile necessarily traveled by him in making his return of assessment to the proper officer of such county. When the county auditor or county supervisor of assessments shall direct an assessor to perform work additional to the work performed within the 120-day period, the assessor shall be paid for such additional work at the rate of \$1.20 per hour, but not to exceed \$200 in addition to the compensation hereinbefore provided. When the county auditor or county supervisor of assessments shall instruct an assessor to perform work in addition to the 120-day period and where the assessor has exceeded an amount of \$200 in addition to the compensation provided for work performed outside of the 120-day period, such assessor shall be reimbursed at the rate of \$1.20 per hour by the county auditor from county funds.

The duties of the assessor in such towns and cities shall be as now prescribed by law.

[1935 c 118 s 1, 2; 1941 c 248 s 1; 1947 c 388 s 1; 1949 c 119 s 111; 1951 c 474 s 1; 1953 c 590 s 1; 1965 c 624 s 3] (1986-1, 1986-2)

**273.05 ASSESSORS; APPOINTMENT, TERM, BOND AND OATH.** Subdivision 1. **Appointment of town, village and city assessors.** Notwithstanding any other provision of law all town assessors shall be appointed by the town board, all village assessors shall be appointed by the village council or other appointing authority as provided by law, and notwithstanding any charter provisions to the contrary, all city assessors shall be appointed by the city council or other appointing authority as provided by law or charter. Such assessors shall be residents of the state but need not be a resident of the town, village, or city for which they are appointed. They shall be selected and appointed because of their knowledge and training in the field of property taxation. The term of all town and village assessors shall expire on December 31, 1968. Thereafter all town and village assessors shall be appointed for indefinite terms. Vacancies in the office of village assessors shall be filled by appointment of the village council. When a vacancy in the office of village assessor is not filled by appointment as provided in this section before the first day of January following its occurrence, the county auditor shall appoint some resident of the county as assessor for such village.

Subd. 2. **Bond and oath of assessors.** Every person elected or appointed to the office of assessor, at or before the time of receiving the assessment books, shall file with the county auditor his bond to the state, to be approved by the auditor, in the penal sum of \$500, conditioned for the diligent, faithful, and impartial performance of the duties enjoined on him by law. Failure to give bond or to take the oath within the time prescribed shall be deemed a refusal to serve.

[R L s 805; 1963 c 799 s 1; 1965 c 254 s 2; 1967 c 282 s 1] (1987)

**273.051 CITY ASSESSORS, TERM.** The term of elected city assessors shall not expire until a vacancy occurs in the office or upon the completion of the

present term for which an assessor is elected. Thereafter the term of such city assessors shall be for the period provided in the charter. The terms of all other city assessors shall continue as provided by charter or as otherwise provided by statute.

[1965 c 254 s 3]

**273.06 DEPUTY ASSESSORS.** Any assessor who deems it necessary to enable him to complete the listing and valuation of the property of his town or district within the time prescribed, with the approbation of the county auditor, may appoint a well-qualified citizen of his town or district to act as his assistant or deputy, and may assign to him such portion of his district as he thinks proper. Each assistant so appointed, after giving bond and taking the required oath, shall perform, under the direction of the assessor, all the duties imposed upon assessors by this chapter.

[R. L. s. 806] (1988)

**273.061 ESTABLISHMENT OF OFFICE FOR EACH COUNTY.** Subdivision 1. **Office created; appointment, qualifications.** Every county in this state shall have a county assessor. The county assessor shall be appointed by the board of county commissioners and shall be a resident of this state. He shall be selected and appointed because of his knowledge and training in the field of property taxation and appointment shall be approved by the commissioner of taxation before the same shall become effective. Upon receipt by the county commissioners of the commissioner of taxation's refusal to approve an appointment, the term of the appointee shall terminate at the end of that day.

Subd. 2. **Term; vacancy.** (a) The terms of county assessors appointed under this section shall commence January 1, 1967, and shall expire December 31, 1970. The succeeding terms shall be four years. When any vacancy in the office occurs, the board of county commissioners, within 30 days thereafter, shall fill the same by appointment for the remainder of the term, following the procedure prescribed in subdivision 1. The term of the county assessor may be terminated by the board of county commissioners at any time, on charges of inefficiency, or neglect of his duty by the commissioner of taxation.

(b) In the event of a vacancy in the office of county assessor, through death, resignation or other reasons, the deputy (or chief deputy, if more than one) shall perform the functions of the office. If there is no deputy, the county auditor shall designate a person to perform the duties of the office until an appointment is made as provided in clause (a). Such person shall perform the duties of the office for a period not exceeding 30 days during which the county board must appoint a county supervisor of assessments. Such 30 day period may, however, be extended by written approval of the commissioner of taxation.

Subd. 3. **Oath; bond.** Every county assessor, before entering upon his duties, shall take and subscribe the oath required of public officials, and shall give bond to the state in the form required by statute, in such sum as the board of county commissioners may determine.

Subd. 4. **Assistants.** With the approval of the board of county commissioners, the county assessor may employ one or more assistants and sufficient clerical help to enable him to perform the duties of his office.

Subd. 5. **Offices; supplies.** The board of county commissioners shall provide suitable office space and equipment at the county seat for the county assessor, his assistants and clerical help, and shall furnish such books, maps, stationery, postage and supplies as may be necessary for the discharge of his duties of the office.

Subd. 6. **Salaries; expenses.** The salaries of the county assessor and his assistants and clerical help, shall be fixed by the board of county commissioners and shall be payable in monthly installments out of the general revenue fund of the county. In counties with a population of less than 50,000 inhabitants, according to the then last preceding federal census, the board of county commissioners shall not fix the salary of the county assessor at an amount below the following schedule:

- In counties with a population of less than 6,500, \$4,900;
- In counties with a population of 6,500 but less than 12,000, \$5,200;
- In counties with a population of 12,000 but less than 16,000, \$5,500;
- In counties with a population of 16,000 but less than 21,000, \$5,700;
- In counties with a population of 21,000 but less than 30,000, \$5,900;
- In counties with a population of 30,000 but less than 39,500, \$6,100;
- In counties with a population of 39,500 but less than 50,000, \$6,300;
- In counties with a population of 50,000 or more, \$7,300.

If a higher minimum schedule is fixed by any other law enacted in 1967, it shall supercede the schedule in this section regardless of whether the section may be repealed in Extra Session Laws 1967, Chapter 32, Article 8.

The county assessor shall be included under the provisions of section 375.43. In addition to their salaries, the county assessor and his assistants shall be allowed their expenses for reasonable and necessary travel in the performance of their duties, including necessary travel, lodging and meal expense incurred by them while attending meetings of instructions or official hearings called by the commissioner of taxation. These expenses shall be payable out of the general revenue fund of the county, and shall be allowed on the same basis as such expenses are allowed to other county officers.

**Subd. 7. Division of duties between local and county assessor.** The duty of the duly appointed local assessor shall be to view and appraise the value of all property as provided by law, but all the book work shall be done by the county assessor, or his assistants, and the value of all property subject to assessment and taxation shall be determined by the county assessor, except as otherwise hereinafter provided. He shall also have the authority to require local assessors to deliver to him their tax records at any time.

**Subd. 8. Powers and duties.** The county assessor shall have the following powers and duties:

(1) He shall call upon and confer with the township, borough, village and city assessors in his county, and advise and give them the necessary instructions and directions as to their duties under the laws of this state, to the end that a uniform assessment of all real property in the county will be attained.

(2) He shall assist and instruct the local assessors in the preparation and proper use of land maps and record cards, in the property classification of real and personal property, and in the determination of proper standards of value.

(3) He shall keep the local assessors in his county advised of all changes in assessment laws and all instructions which he receives from the commissioner of taxation relating to their duties.

(4) He shall attend all county seat instructional meetings of the local assessors of his county called by the commissioner of taxation, and shall assist the representatives of the commissioner in conducting those meetings.

(5) He shall have authority to require the attendance of groups of local assessors at sectional meetings called by him for the purpose of giving them further assistance and instruction as to their duties.

(6) He shall immediately commence the preparation of a large scale topographical land map of the county, in such form as may be prescribed by the commissioner of taxation, showing thereon the location of all railroads, highways and roads, bridges, rivers and lakes, swamp areas, wooded tracts, stony ridges and other features which might affect the value of the land. Appropriate symbols shall be used to indicate the best, the fair and the poor land of the county. For use in connection with the topographical land map, he shall prepare and keep available in his office tables showing fair average minimum and maximum true and full values per acre of cultivated, meadow, pasture, cut-over, timber and waste lands of each township. He shall keep the map and tables available in his office for the guidance of town assessors, boards of review, and the county board of equalization.

(7) He shall also prepare and keep available in his office for the guidance of town assessors, boards of review and the county board of equalization, a land valuation map of the county, in such form as may be prescribed by the commissioner of taxation. This map, which shall include the bordering tier of townships of each county adjoining, shall show the average true and full value per acre, both with and without improvements, as finally equalized in the last biennial assessment of real estate, of all land in each town or unorganized township which lies outside the corporate limits of boroughs, villages and cities.

(8) He shall regularly examine all conveyances of land outside the corporate limits of cities of the first and second class, filed with the register of deeds of his county, and keep a file, by descriptions, of the considerations shown thereon. From the information obtained by comparing the considerations shown with the true and full values assessed, he shall make recommendations to the county board of equalization of necessary changes in individual assessments or aggregate valuations.

(9) He shall prepare annually and keep available in his office for the guidance of boards of review and the county board of equalization, a table showing the true

and full value per capita of all personal property in each assessment district in the county as finally equalized in the last previous assessment of personal property. For the guidance of the county board of equalization, he shall also add to the table the true and full value per capita of all personal property of each assessment district for the current year as equalized by the local board of review.

(10) He shall familiarize himself with the values of the different items of personal property so that he will be in a position when called upon to advise the boards of review and the county board of equalization concerning property, true and full values thereof.

(11) While the county board of equalization is in session, he shall give it every possible assistance to enable it to perform its duties. He shall furnish the board with all necessary charts, tables, comparisons and data which it requires in its deliberations, and shall make whatever investigations the board may desire.

(12) At the request of either the board of county commissioners or the commissioner of taxation, he shall investigate applications for reductions of valuation and abatements and settlements of taxes, examine the real or personal property involved, and submit written reports and recommendations with respect to the applications, in such form as may be prescribed by the board of county commissioners and commissioner of taxation.

(13) He shall make diligent search each year for real and personal property which has been omitted from assessment in his county, and report all such omissions to the county auditor.

(14) He shall render such other services pertaining to the assessment of real and personal property in his county as are not inconsistent with the duties set forth in this section, and as may be required of him by the board of county commissioners or by the commissioner of taxation.

**Subd. 9. Additional general duties.** Additional duties of the county assessor shall be as follows: (a) to make all assessments, based upon the appraised values reported to him by the local assessors or his assistants and his own knowledge of the value of the property assessed; (b) to personally view and determine the value of any property which because of its type or character may be difficult for the local assessor to appraise; (c) to make all changes ordered by the local boards of review, relative to the assessed value of the property of any individual, firm or corporation after notice has been given and hearings held as provided by law. A local board of review shall have the power to reduce assessments upon petition of the taxpayer but the total of such adjustments shall not reduce the aggregate assessment made by the county assessor by more than one percent of said aggregate assessment. If the total of such adjustments would lower the aggregate assessments made by the county assessor by more than one percent, none of such adjustments shall be allowed. The assessor shall correct any clerical errors or double assessments discovered by the board of review without affecting the one percent referred to above; (d) to enter all assessments in the assessment books, furnished him the county auditor, with each book and the tabular statements for each book in correct balance; (e) to prepare all assessment cards, charts, maps and any other forms prescribed by the commissioner of taxation; (f) to attend the meeting of the county board of equalization; to investigate and report on any assessment ordered by said board; to enter all changes made by said board in the assessment books and prepare the abstract of assessments for the commissioner of taxation; to enter all changes made by the state board of equalization in the assessment books; to deduct all exemptions authorized by law from each assessment and certify to the county auditor the taxable value of each parcel of land, as described and listed in the assessment books by the county auditor, and the taxable value of the personal property of each person, firm, or corporation assessed; (g) to investigate and make recommendations relative to all applications for the abatement of taxes or applications for the reduction of the assessed valuation of any property; (h) to perform all other duties relating to the assessment of property for the purpose of taxation which may be required of him by the commissioner of taxation.

**Subd. 10. Assessor in unorganized territory.** In counties having unorganized territory divided into one or more assessment districts, the board of county commissioners may appoint the county assessor for all such districts. In such case the assessor shall receive no compensation for performing the duties of assessor. He shall, however, be allowed his expenses for reasonable and necessary travel in the

# MINNESOTA STATUTES 1967

performance of his duties. Such expenses shall be payable out of the general revenue fund of the county.

[*Ex1967 c 32 art 8 s 1*]

**273.062 VALUATION AND ASSESSMENT OF PERSONAL PROPERTY.** The county assessor, or city assessor in a city or village with population of 30,000 or more shall value and assess all personal property. He shall make an alphabetical list of the names of all persons in his town or district liable to an assessment of personal property, and shall call at the office or place of business or residence of each person required by this chapter to list property, and shall list his name, and shall require each person to make and deliver a correct list and statement of such property, according to the prescribed form, which shall be subscribed and sworn to by the person listing; and the assessor shall thereupon determine the value of the property in such statement, and enter the same in his assessment books, opposite the name of the person assessed, with the name and post-office address of the person listing the property; and, if such person reside in a city, the street and number, or other brief description, of his residence or place of business. If any property is listed or assessed on or after the fourth Monday of June, and before the return of the assessor's books, the same shall be as legal and binding as if listed and assessed before that time.

Such county or city assessor shall have power and authority to summon witnesses to appear and give testimony, and to produce books, records, papers and documents relating to the listing of personal property.

[*Ex1967 c 32 art 8 s 9*]

**273.063 APPLICATION; LIMITATIONS.** The provisions of Extra Session Laws 1967, Chapter 32, Article 8, shall apply to all counties except those described in Minnesota Statutes 1965, Chapter 391. The following limitations shall apply as to the extent of the county assessors jurisdiction:

In counties having a city of the first class, the powers and duties of the county assessor within such city shall be performed by the duly appointed city assessor. In all other cities or villages having a population of 30,000 persons or more, according to the last preceding federal census, except in counties having a county assessor on January 1, 1967, the powers and duties of the county assessor within such cities or villages shall be performed by the duly appointed city or village assessor, provided that the county assessor shall retain the supervisory duties contained in section 273.061, subdivision 8.

[*Ex1967 c 32 art 8 s 10*]

**273.07** [Repealed, 1947 c 531 s 10]

**273.071** [Repealed, Ex1967 c 32 art 8 s 12]

**273.072 AGREEMENTS FOR JOINT ASSESSMENT.** Subdivision 1. Any county and any city, village, or town lying wholly within the county and constituting a separate assessment district may, by agreement entered into under section 471.59 and approved by the commissioner of taxation, provide for the assessment of property in the municipality or town by the county assessor. Any two or more cities, villages, or towns constituting separate assessment districts, whether their assessors are elective or appointive, may enter into an agreement under section 471.59 for the assessment of property in the contracting units by the assessor of one of the units or by an assessor who is jointly employed.

Subd. 2. The agreement may provide for the abolition of the office of local assessor in any contracting unit when the assessment of property within it is to be made under the agreement by another assessor. In such case, the office of assessor in that unit shall cease to exist upon the date fixed in the agreement but not before the end of the term of the incumbent, if he is serving for a fixed term, or when an earlier vacancy occurs.

Subd. 3. When the agreement provides for joint employment of an assessor, he shall be appointed and removed in a manner and shall hold office for such term as is provided in the agreement, notwithstanding charter or other statutory provisions for election or appointment of an assessor for a prescribed term.

Subd. 4. If the agreement is for an indefinite term, it may be terminated on six months notice by either party. Upon the termination of the agreement, whether for a fixed or indefinite term, any office of assessor abolished as a result of the agreement shall be automatically re-established and shall be filled as provided by applicable law or charter.

Subd. 5. Any amount paid to the county for personal services of the county as-

essor under such an agreement shall be paid into the general revenue fund of the county.

Subd. 6. Agreements made under this section have no effect upon the powers and duties of local boards of review and equalization.

[1959 c 382 s 1; Ex1967 c 32 art 8 s 5, 6]

**273.08 ASSESSOR'S DUTIES.** The assessor shall perform his duties in the manner following. He shall actually view, when practicable, and determine the true and full value of each tract or lot of real property listed for taxation, and shall enter the value thereof, including the value of all improvements and structures thereon, opposite each description.

[R L s 808; 1945 c 481 s 1; 1963 c 799 s 2; 1965 c 624 s 4; Ex1967 c 32 art 8 s 7] (1990)

**273.09** [Local, South St. Paul]

**273.10 SCHOOL DISTRICTS.** When assessing personal property the county assessor shall designate the number of the school district in which each person assessed is liable for tax, by writing the number of the district opposite each assessment in a column provided for that purpose in the assessment book. When the personal property of any person is assessable in several school districts, the amount in each shall be assessed separately, and the name of the owner placed opposite each amount.

[R L s 809; Ex1967 c 32 art 8 s 8] (1991)

**273.11 VALUATION OF PROPERTY.** All property shall be valued at its market value. In determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for at a fair, voluntary sale, for cash. Taxable leasehold estates shall be valued at such a price as they would bring at a fair, voluntary sale, for cash. Money, whether in possession or on deposit, shall be entered in the statement at the full amount thereof. Every credit for a sum certain, payable either in money, property of any kind, labor, or services, shall be valued at the full price thereof so payable; if for a specific article, or for a specified number or quantity of any article of property, or for a certain amount of labor, or for services of any kind, it shall be valued at the current price of such property, or for such labor or services, at the place where payable. Each assessor shall annually file with the county auditor the ratio which he has used of adjusted market value to market value of all the taxable property within the taxing district, except property which by law, custom, or practice is valued by the commissioner of taxation.

[R L s 810; Ex1967 c 32 art 7 s 3] (1992)

**273.111 AGRICULTURAL PROPERTY TAX.** Subdivision 1. This section may be cited as the "Minnesota Agricultural Property Tax Law."

Subd. 2. The present general system of ad valorem property taxation in the state of Minnesota does not provide an equitable basis for the taxation of certain agricultural real property and has resulted in inadequate taxes on some lands and excessive taxes on others. Therefore, it is hereby declared the public policy of this state that the public interest would best be served by equalizing tax burdens upon agricultural property within this state through appropriate taxing measures.

Subd. 3. Real estate shall be entitled to valuation and tax deferment under this section only if (1) it is actively and exclusively devoted to agricultural use as defined in subdivisions 6 and 7, (2) it is the homestead or contiguous to the homestead or thereafter becomes the homestead of a surviving spouse of the said owner.

Subd. 4. The value of any real estate described in subdivision 3 shall upon timely application by the owner, in the manner provided in subdivision 8, be determined solely with reference to its appropriate agricultural classification and value notwithstanding sections 272.03, subdivision 8 and 273.11. In determining such value for ad



valorem tax purposes the assessor shall not consider any added values resulting from non-agricultural factors.

Subd. 5. The assessor shall, however, make a separate determination of the market value of such real estate. The tax based upon the appropriate mill rate applicable to such property in the taxing district shall be recorded on the property assessment records.

Subd. 6. Real property shall be considered to be in agricultural use if devoted to the production for sale of livestock, dairy animals, dairy products, poultry and poultry products, fur bearing animals, fruit of all kinds, vegetables, forage, grains, bees and apiary products by the owner, but not when devoted to processing of such things or meeting the requirements and qualifications for payments or other compensation pursuant to a soil conservation program under an agreement with an agency of the federal government.

Subd. 7. Land shall be considered to be actively devoted to agricultural use only if the gross sales of agricultural products have averaged \$750 per year and \$25 per acre per year or more during the last two years preceding the year for which application is made for the assessment under this section.

Subd. 8. Application for deferment of taxes and assessment under this section shall be made at least 60 days prior to January 2 of each year. Such application shall be filed with the assessor of the taxing district in which the real property is located on such form as may be prescribed by the commissioner of taxation. The assessor may require proof by affidavit or otherwise that the property qualifies under subdivisions 3 and 7.

Subd. 9. When real property which is being, or has been valued and assessed under this section is sold or no longer qualifies under subdivisions 3 and 7, the portion sold shall be subject to additional taxes, in the amount equal to the difference between the taxes determined in accordance with subdivision 4, and the amount determined under subdivision 5, provided, however, that the amount determined under subdivision 5 shall not be greater than it would have been had the actual bona fide sale price of the real property at an arms length transaction been used in lieu of the market value determined under subdivision 5. Such additional taxes shall be extended against the property on the tax list for the current year, provided, however, that no interest or penalties shall be levied on such additional taxes if timely paid, and provided further, that such additional taxes shall only be levied with respect to the last three years that the said property has been valued and assessed under this section.

Subd. 10. The tax imposed by this section shall be a lien upon the property assessed to the same extent and for the same duration as other taxes imposed upon property within this state. The tax shall be annually extended by the county auditor and shall be collected and distributed in the manner provided by law for the collection and distribution of other property taxes.

Subd. 11. The payment of special local assessments levied after the date of Extra Session Laws 1967, Chapter 60, for improvements made to any real property described in subdivision 3 together with the interest thereon shall, on timely application as provided in subdivision 8, be deferred as long as such property meets the conditions contained in subdivisions 3 and 7. When such property is sold or no longer qualifies under subdivisions 3 and 7, all deferred special assessments plus interest shall be payable within 90 days. Penalty shall not be levied on any such special assessments if timely paid. If not paid within such 90 days, the county auditor shall include such deferred special assessments plus a 10 percent penalty on the tax list for the current year.

Subd. 12. This section shall be broadly construed to achieve its purpose. The invalidity of any provision shall be deemed not to affect the validity of other provisions.

Subd. 13. This section shall apply only to assessments for tax purposes made in 1968 through 1972 which are used to determine taxes payable in 1969 through 1973.

Subd. 14. This section shall apply to special local assessments levied after July 1, 1967 and payable in the years 1968 through 1972.

[*Ex*1967 c 60 s 1-13]

**273.12 ASSESSMENT OF REAL PROPERTY.** It shall be the duty of every assessor and board, in determining the value of lands for the purpose of taxation,

and in fixing the assessed value thereof, to consider and give due weight to every element and factor affecting the market value thereof, including its location with reference to roads and streets and the location of roads and streets thereon or over the same, and to take into consideration a reduction in the acreage of each tract or lot sufficient to cover the amount of land actually used for any improved public highway and the reduction in area of land caused thereby. It shall be the duty of every assessor and board, in determining the value of lands for the purpose of taxation, and in fixing the assessed value thereof, to consider and give due weight to lands which are comparable in character, quality, and location, to the end that all lands similarly located and improved will be assessed upon a uniform basis and without discrimination.

[1927 c. 123; 1931 c. 224 s. 1; 1935 c. 237 s. 1] (1992-1)

**273.13 CLASSIFICATION OF PROPERTY.** Subdivision 1. **How classified.** All real and personal property subject to a general property tax and not subject to any gross earnings or other lieu tax is hereby classified for purposes of taxation as provided by this section.

Subd. 2. **Class 1.** Iron ore, whether mined or unmined, shall constitute class 1 and shall be valued and assessed at 50 percent of its full and true value. If unmined, it shall be assessed with and as a part of the real estate in which it is located, but at the rate aforesaid. Iron ore which either (a) is mined by underground methods and either placed in stockpile or concentrated and placed in stockpile or (b) is mined by open-pit methods and, in accordance with good engineering and metallurgical practice, requires concentration other than crushing or screening or both to make it suitable for commercial blast furnace use, and is either placed in stockpile for the purpose of concentration in the course of a concentration operation, or is concentrated and placed in stockpile, for three taxable years after being mined only, shall be listed and assessed in the taxing district where mined at the same amount per ton as it would be assessed if still unmined, except that if such ore contains phosphorous in excess of .180 percent or is classified in the trade as manganiferous ore, then irrespective of whether it requires such concentration or has been so concentrated it shall be so listed and assessed as if it were unmined ore for five taxable years after being mined only, and thereafter such ore in stockpiles shall be valued and assessed as mined iron ore, as otherwise provided by law. The real estate in which iron ore is located, other than the ore, shall be classified and assessed in accordance with the provisions of classes 3, 3b, and 4, as the case may be. In assessing any tract or lot of real estate in which iron ore is known to exist the assessable value of the ore exclusive of the land in which it is located, and the assessable value of the land exclusive of the ore shall be determined and set down separately and the aggregate of the two shall be assessed against the tract or lot.

**Class 1a.** All direct products of the blast and open hearth furnaces that are utilized in the form produced and are not further processed, shall constitute class 1a and shall be valued and assessed at 15 percent of the full and true value thereof.

Subd. 3. **Class 2.** All household goods and furniture, including clocks, musical instruments, sewing machines, wearing apparel of members of the family, and all personal property actually used by the owner for personal and domestic purposes, or for the furnishing or equipment of the family residence, shall constitute class 2 and shall be valued and assessed at 25 percent of the full and true value thereof.

**Class 2a.** All mobile homes, as defined in section 168.011, subdivision 8, shall constitute class 2a and shall be valued, assessed, and taxed in the following manner. The secretary of state shall collect the following specific taxes at the time of registering a mobile home, as is provided in section 168.012, subdivision 9, and shall not issue number plates or register any mobile home until said specific taxes are paid. If said specific tax is not paid on or before January 10, then a penalty of eight percent shall attach and be a charge upon such tax. Utilizing the following percentages of the full and true value of said mobile homes (the full and true value of a mobile home shall be presumed to be the suggested factory retail list price thereof adjusted to the nearest figure evenly divisible by 100) the secretary shall compute the tax due and owing by applying the average rate of taxes of all counties throughout the state of Minnesota levied for all purposes and paid during the preceding year.

New	10 percent
One year old	8½ percent
Two years old	7½ percent
Three years old	6½ percent
Four years old	5½ percent
Five years old	5 percent
Six years old and older	4½ percent

The secretary shall, with respect to mobile homes for which no list price is available, determine the taxable value thereof based on the weight and size of the mobile home, taking into account depreciation proportionate to the above table. The secretary of state may require the manufacturer to file sworn statements setting forth the information necessary to administer Laws 1961, Chapter 340.

All mobile homes that are not registered on or before May 1 each year in accordance with the provisions of section 168.012, subdivision 9, shall be valued and assessed by the local assessor in accordance with the provisions of this subdivision and in the same manner as such value and assessment is determined by the secretary including penalty of eight percent; and the local assessor shall forthwith notify the county auditor of said assessment, upon receipt of which the county auditor shall forthwith levy the tax by applying the same average rate of taxes of all counties throughout the state as is applied by the secretary and immediately mail a statement of such tax to the taxpayer. This tax shall become a lien upon the mobile home assessed from the date of mailing of the statement by the county auditor. If the taxpayer fails to pay within 30 days, the claim shall be immediately reduced to judgment in the manner provided for all personal property taxes and the sheriff of the county shall immediately levy for the purpose of enforcing payment. Taxes so received by the county treasurer shall be placed in the general property tax fund of the county for distribution in the manner provided for the distribution of currently collected taxes, and the portion for municipality and school district shall go to the taxing district in which the mobile home is located. Any licensed dealer may obtain from the secretary of state a dealer's registration receipt upon the payment of \$15, which payment shall exempt said mobile home from any other taxation or registration fee so long as said mobile home remains in the hands of the dealer for sale.

Mobile homes which are purchased during the year, or are moved into the state of Minnesota during the year and have not heretofore been registered under section 168.012, subdivision 9, shall be subject to taxation under this subdivision on a pro rata basis determined by the number of months remaining in the year. In making this determination, the secretary of state shall ignore a period of less than one-half month and count a period of one-half month or more as a full month. If such mobile home is not registered and the tax paid within 14 days after becoming subject to such tax, a penalty of eight percent shall attach and be a charge upon such tax. A licensed dealer may have the option of paying a registration fee of \$15 on new mobile homes purchased and held for sale. Such payment shall exempt such mobile homes from any other taxation or registration until sold. The \$15 fee shall be paid within 14 days after such dealer purchases such mobile homes; otherwise, the vehicles shall be subject to registration and taxation as provided herein. Whenever a dealer sells or transfers a mobile home registered with a \$15 fee to another dealer who will also hold the mobile home for sale, the \$15 registration fee previously paid shall be credited to the new owner and no further registration or taxation shall be required until the mobile home is sold to other than a dealer; provided, however, that any mobile home owned by a dealer and leased, rented or occupied shall be subject to registration and taxation as provided herein.

Whenever the tax on any mobile home as computed under the provisions of this subdivision is found to be indivisible by five, the secretary of state is authorized to adjust such tax to the nearest figure divisible by five.

A mobile home owned by a member of the military or naval forces of the United States is exempt from the requirements of Laws 1961, Chapter 340, requiring registration and taxation if such owner is a resident of another state and the mobile home is legally and properly registered in the state of his residence.

All taxes levied, assessed, and collected by the secretary (including the dealer's registration fee of \$15) on class 2a property shall be deposited in the state treasury and the amount thereof is hereby appropriated annually to the secretary of state to be distributed in the following manner: 50 percent to the school district in

# MINNESOTA STATUTES 1967

2787

TAXES; LISTING, ASSESSMENT 273.13

which the mobile home is located at the time of payment of the tax, 30 percent to the municipality in which the mobile home is located at the time of payment of the tax, 10 percent to the county in which the mobile home is located at the time of payment of the tax, and 10 percent to the general revenue fund in the state treasury. Such distribution shall be made on or before October 1 by the secretary of state who shall compute and prepare payment of this distribution from the records and data obtained by him in the process of registering such mobile homes.

**Subd. 4. Class 3.** All agricultural products, except as provided by class 3a, stocks of merchandise of all sorts together with the furniture and fixtures used therewith, manufacturers' materials and manufactured articles, except as is provided in section 272.02, all tools, implements and machinery, whether fixtures or otherwise, except as is provided in section 272.02, all agricultural land, except as provided by classes 1, 3b, 3e and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes and all buildings and structures assessed as personal property and situated upon land of the state of Minnesota or the United States government which is rural in character and devoted or adaptable to rural but not necessarily agricultural use shall constitute class 3 and shall be valued and assessed at 33 $\frac{1}{3}$  percent of the full and true value thereof.

**Subd. 5. Class 3a.** All agricultural products in the hands of the producer shall constitute class 3a and shall be valued and assessed at ten percent of the full and true value thereof. Provided, however, that grain in the hands of the producer shall be exempt from taxation and there shall be no assessment of such grain. Wine produced in this state and in the possession of the producer and held in storage under bond to the United States government, shall be classed as agricultural products for the purposes of this subdivision.

**Subd. 6. Class 3b.** Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead, shall constitute class 3b and shall be valued and assessed at 20 percent of the full and true value thereof. The property tax to be paid on class 3b property as otherwise determined by law not exceeding 80 acres, regardless of whether or not the true and full value is in excess of \$4,000, for all purposes except the payment of principal and interest on bonded indebtedness, shall be reduced by 35 percent of the tax; provided that the amount of said reduction shall not exceed \$250. If the full and true value is in excess of the sum of \$4,000, the amount in excess of that sum shall be valued and assessed as provided for by class 3. The first \$4,000 full and true value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section 124.03, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than 10 acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

**Subd. 7. Class 3c, 3cc.** All other real estate, except as provided by classes 1 and 3c, which is used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at 25 percent of the full and true value thereof. The property tax to be paid on class 3c property as otherwise determined by law, regardless of whether or not the true and full value is in excess of \$4,000, for all purposes except the payment of principal or interest on bonded indebtedness, shall be reduced by 35 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$250. If the full and true value is in excess of the sum of \$4,000, the amount in excess of that sum shall be valued and assessed as provided for by class 4. The first \$4,000 full and true value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any person (hereinafter referred to as veteran) who served in the active military or naval service of the United States and who is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid

# MINNESOTA STATUTES 1967

of braces, crutches, canes, or a wheel chair, and who with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, shall constitute class 3cc and shall be valued and assessed at five percent of the full and true value thereof. The property tax to be paid on class 3cc property as otherwise determined by law, regardless of whether or not the true and full value is in excess of \$4,000, for all purposes except the payment of principal or interest on bonded indebtedness, shall be reduced by 35 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$250. If the full and true value is in excess of the sum of \$8,000, the amount in excess of that sum shall be valued and assessed as for by class 4.

**Subd. 7a. Percentage of full and true value.** For the purpose of determining salaries of all officials based on assessed valuations and of determining tax limitations now established by statute or by charter, class 3b and class 3c property shall be figured at 33 $\frac{1}{3}$  percent and 40 percent of the full and true value thereof, respectively.

**Subd. 8.** [Repealed, Ex1967 c 32 art 4 s 3]

**Subd. 8a. Class 3e.** Real estate, rural in character, and used exclusively for the purpose of growing trees for timber, lumber, wood and wood products shall constitute class 3e, and shall be valued and assessed at 20 percent of the full and true value thereof.

**Subd. 9. Class 4.** All property not included in the preceding classes shall constitute class 4 and shall be valued and assessed at 40 percent of the full and true value thereof.

**Subd. 10. Homestead of member of U. S. Armed Forces in class 3b or 3c.** Real estate actually occupied and used for the purpose of a homestead by a member of the armed forces of the United States, or by a member of his immediate family on or after July 1, 1940, shall, notwithstanding the removal therefrom of such person, while on active duty with the armed forces of the United States or his family under such conditions, be classified in class 3b or 3c, as the case may be, provided, that absence of the owner therefrom is solely by reason of service in the armed forces, and that he intends to return thereto as soon as discharged or relieved from such service, and claims it as his homestead. Every person who, for the purpose of obtaining or aiding another in obtaining any benefit under this subdivision, shall knowingly make or submit to any assessor any affidavit or other statement which is false in any material matter shall be guilty of a felony.

**Subd. 11. Assessor may require proof.** The assessor may require proof, by affidavit or otherwise of the facts upon which classification as a homestead may be determined under the provisions of subdivisions 6, 7 and 10.

**Subd. 12. Real estate purchased for occupancy as a homestead.** Real estate purchased for occupancy as a homestead shall be classified in class 3b or 3c, as the case may be, where the purchaser is prevented from obtaining possession on May 1st next following the purchase by reason of federal or state rent control laws or regulations. The assessor shall require proof by affidavit from the purchaser of the existence of facts entitling the purchaser to benefits under this section.

**Subd. 13. Class 3h, class 3j.** All real and personal property which is used for the purposes of any refinery for processing crude petroleum or any derivative thereof, which is subject to a general property tax, shall be classified for purposes of taxation as follows: All such real property of any such refinery shall constitute class 3h and be valued and assessed at 27 percent of the full and true value thereof and all such personal property of any such refinery shall constitute class 3j and be valued and assessed at 17 percent of the full and true value thereof.

**Subd. 14. Parking ramps in certain first class cities.** In any city of the first class having a population of not more than 450,000 inhabitants that portion of real property which is assessed as a structure upon the land which is used for the sole purpose of a motor vehicle public parking ramp garage, and purposes incidental thereto which is subject to a general property tax, shall be classified for purposes of taxation, for a period of 15 years from the date of completion of original construction, or the date of initial, though partial, use, whichever is the earlier date, as follows: That part, section, floor or area of such real property shall be valued and assessed at 20 percent of the full and true value thereof.

**Subd. 15. Tax relief fund, replacement of revenue.** (1) Payment from the

property tax relief fund shall be made, as provided herein, for the purpose of replacing revenue lost as a result of the reduction of property taxes provided in subdivisions 6 and 7.

(2) Each county auditor shall certify, not later than May 1 of each year commencing in 1968, to the state treasurer the amount of reduction resulting from subdivisions 6 and 7 in his county.

(3) The state treasurer shall pay out of the property tax relief fund to each county treasurer one half of the amount certified under clause (2) not later than June 15 and the remaining half not later than November 15 of each year commencing in 1968.

(4) The county treasurer shall distribute the funds received by him under clause (3) as if they had been collected as a part of the property tax reduced by subdivisions 6 and 7.

[1913 c 483 s 1; 1923 c 140; 1933 c 192; 1933 c 359; 1937 c 365 s 1; Ex1937 c 86 s 1; 1939 c 48; 1941 c 436; 1941 c 437; 1941 c 438; 1943 c 172 s 1; 1943 c 648 s 1; 1945 c 274 s 1; 1945 c 527 s 1; 1947 c 537 s 1; 1949 c 723 s 1; 1951 c 510 s 1; 1951 c 585 s 1; 1953 c 358 s 1, 2; 1953 c 400 s 1; 1953 c 747 s 1, 2; 1955 c 751 s 1, 2; 1957 c 866 s 1; 1957 c 959 s 1; 1959 c 40 s 1; 1959 c 338 s 1; 1959 c 541 s 1; 1959 c 562 s 3; Ex1959 c 70 art 1 s 2; 1961 c 243 s 1; 1961 c 322 s1; 1961 c 340 s 3; 1961 c 475 s 1; 1961 c 710 s 1; 1963 c 426 s 1; 1965 c 259 s 1; 1967 c 606 s 1; Ex1967 c 32 art 1 s 2-4, art 4 s 1, art 9 s 1, 2] (1933)

**273.131** [Repealed, 1965 c 45 s 73]

**273.133 TREATMENT OF COOPERATIVES AND CHARITABLE CORPORATIONS.** When a building which contains several dwelling units is owned by a corporation or association organized under sections 308.05 to 308.18, and each person who owns a share or shares in the corporation or association is entitled to occupy a unit in the building, the corporation or association may claim homestead treatment in accordance with section 273.13, subdivision 7, for the part of the value of the building represented by each unit occupied by a shareholder. To qualify for the treatment provided by this section, the corporation or association must be wholly owned by persons having shares entitling them to occupy a unit in the building, and the total number of persons owning shares entitling them to occupy a unit may not exceed the number of units in the building. A charitable corporation organized under the laws of Minnesota and not otherwise exempt thereunder with no outstanding stock shall qualify for such homestead treatment with respect to member residents of such dwelling units who have purchased and hold residential participation warrants entitling them to occupy such units. For the purpose of this section a husband and wife shall be counted as one person.

[1967 c 705 s 1]

**273.14 DEFINITIONS.** Subdivision 1. **Words, terms, and phrases.** Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of sections 273.14 to 273.16, shall be given the meanings subjoined to them.

**Subd. 2. Person.** The word "person" shall be construed to include individuals, copartnerships, companies, joint stock companies, corporations, and all associations, however and for whatever purpose organized.

**Subd. 3. Deposit.** The word "deposit" means a body of iron-bearing materials which, in accordance with good engineering and metallurgical practice, should be mined as a unit.

**Subd. 4. Low-grade iron-bearing formations.** "Low-grade iron-bearing formations" mean those commercial deposits of iron-bearing materials, not including paint rock, located beneath the surface of the earth, which in their natural state require beneficiation to make them suitable for blast furnace use, and which, after such beneficiation, produce in tonnage less than 50 percent of iron ore concentrates from the tonnage of low-grade iron-bearing formations delivered to a beneficiation plant and which formations must be mined in accordance with good engineering and metallurgical practice to produce such concentrates.

**Subd. 5. Beneficiation.** "Beneficiation" means the process of concentrating that portion of the iron-bearing formations entering the beneficiating plant.

**Subd. 6. Concentrates.** "Concentrates" means such ores which by the process of beneficiation have been made suitable for blast furnace use.

**Subd. 7. Tonnage recovery or tonnage recovery of iron ore concentrates.** The term "tonnage recovery" or "tonnage recovery of iron ore concentrates" means

the proportion which the weight of concentrates recovered or recoverable after beneficiation bears to the weight of the low-grade iron-bearing materials entering the beneficiating plant.

[1937 c. 364 s. 1] (1993-2)

**273.15 CLASSIFICATIONS OF LOW-GRADE IRON ORE.** There are hereby established classifications for purposes of taxation which are designated class 1a, which shall consist of all low-grade iron-bearing formations as defined in section 273.14. Such classifications shall be assessed at the following percentages of their full and true value: If the tonnage recovery is less than 50 percent and not less than 49 percent, the assessed value shall be 48½ percent of the full and true value; if the tonnage recovery is less than 49 percent and not less than 48 percent, the assessed value shall be 47 percent of the full and true value; and for each subsequent reduction of one percent in tonnage recovery, the percentage of assessed value to full and true value shall be reduced an additional one and one-half percent of the full and true value, but the assessed value shall never be less than 30 percent of the full and true value. The land, exclusive of such formations, shall be assessed as otherwise provided by law.

[1937 c. 364 s. 2] (1993-3)

**273.16 DETERMINATION OF CLASSIFICATION.** The classification of iron-bearing formations under the provisions of sections 273.14 to 273.16 shall be determined in the manner hereinafter set forth. Any person engaged in the business of mining, whose tonnage recovery of iron ore concentrates for a taxable year in producing concentrates from the iron-bearing material entering the beneficiating plant has been less than 50 percent, may file a petition with the commissioner of taxation requesting classification of such deposit under the provisions of sections 273.14 to 273.16. The taxpayer shall furnish such available data and information concerning the operation of such deposit as the commissioner of taxation may require, and who shall, upon receipt thereof, submit such petition and data to the University of Minnesota mines experiment station. The mines experiment station shall consider the deposit referred to in the petition as a unified commercial operation; and, based on all engineering data and information furnished, shall file a written report thereon with the commissioner of taxation, who, after hearing duly had, shall approve or disapprove such report. If a classification is made covering such deposit and property, the commissioner of taxation shall give appropriate notice thereof to the taxing districts affected thereby. If the commissioner of taxation disapprove such classification, his findings and order thereon may be reviewed by a writ of certiorari issued out of the supreme court on petition of the party aggrieved presented to the court within 30 days after the date of the order. Such classifications shall also be subject to further review by the mines experiment station, from time to time, upon request of the commissioner of taxation or upon further petition by the taxpayer. Valuations determined hereunder shall be subject to the provisions of sections 270.19 to 270.26.

[1937 c. 364 s. 3] (1993-4)

**273.17 ASSESSMENT OF REAL PROPERTY IN ODD-NUMBERED YEARS.** Subdivision 1. In every odd-numbered year, on January 2, the assessor shall also assess all real property that may have become subject to taxation since the last previous assessment, including all real property platted since the last real estate assessment in the even-numbered year, and all buildings or other structures of any kind, whether completed or in process of construction, of over \$100 in value, the value of which has not been previously added to or included in the valuation of the land on which they have been erected. He shall make return thereof to the county auditor, with his return of personal property, showing the tract or lot on which each structure has been erected and the true value added thereto by such erection. Every assessor shall list, without revaluing, in each odd-numbered year, on a form to be prescribed by the commissioner of taxation, all parcels of land that shall have become homesteads or shall have ceased to be homesteads for taxation purposes since the last real estate assessment.

The county auditor shall note such change in the assessed valuation upon the tax lists, caused by a change in classification, and shall calculate the taxes for such odd-numbered year on such changed valuation. In case of the destruction by fire, flood, or otherwise of any building or structure, over \$100 in value, which has been erected previous to the last valuation of the land on which it stood, or the value of which has been added to any former valuation, the assessor shall determine, as

nearly as practicable, how much less such land would sell for at private sale in consequence of such destruction, and make return thereof to the auditor.

Subd. 2. In counties where the county auditor has elected to discontinue the preparation of assessment books as provided by section 273.03, subdivision 2, such changes as provided for in section 273.17, subdivision 1, shall be recorded in a separate record prepared under the direction of the county assessor and shall identify, by description or property identification number, or both, the real estate affected, the previous year's assessed valuations and the new true and full and assessed valuations, provided that if only property identification numbers are used they shall be such that shall permit positive identification of the real estate to which they apply. Such record shall further indicate the total amount of increase or decrease in assessed value contained therein. The county assessor shall make return of such record to the county auditor who shall be the official custodian thereof.

Such record shall be known as "County assessor's changes in real estate valuations for the year 19....." Such records on file in the county auditor's office may be destroyed when they are more than 20 years old pursuant to the conditions for destruction of records contained in Minnesota Statutes 1961, Section 384.14.

[R L s 811; 1917 c 254; 1937 c 206 s 1; 1963 c 781 s 2; 1967 c 578 s 2] (1994)

**273.18 LISTING, VALUATION, AND ASSESSMENT OF EXEMPT PROPERTY BY COUNTY AUDITORS.** In every sixth year after the year 1926, the county auditor shall enter, in a separate place in the real estate assessment books, the description of each tract of real property exempt by law from taxation, with the name of the owner, if known, and the assessor shall value and assess the same in the same manner that other real property is valued and assessed, and shall designate in each case the purpose for which the property is used.

[R. L. s. 812; 1925 c. 211 s. 1] (1995)

**273.19 LESSEES AND EQUITABLE OWNERS.** Subdivision 1. Property held under a lease for a term of three or more years, and not taxable under section 272.01, subdivision 2, or under a contract for the purchase thereof, when the property belongs to the state, or to any religious, scientific, or benevolent society or institution, incorporated or unincorporated, or to any railroad company or other corporation whose property is not taxed in the same manner as other property, or when the property is school or other state lands, shall be considered, for all purposes of taxation, as the property of the person so holding the same.

Subd. 2. The provisions of subdivision 1 shall not apply to any property owned by a seaway port authority exempt from taxation under the provisions of section 272.01, subdivision 3.

[R L s 813; Ex 1959 c 1 s 2; 1967 c 865 s 2] (1996)

**273.20 ASSESSOR MAY ENTER DWELLINGS, BUILDINGS, OR STRUCTURES.** Any officer authorized by law to assess property for taxation may, when necessary to the proper performance of his duties, enter any dwelling-house, building, or structure, and view the same and the property therein.

[R. L. s. 814] (1997)

**273.21 NEGLECT BY AUDITOR OR ASSESSOR; PENALTY.** Every county auditor and every town or district assessor who in any case refuses or knowingly neglects to perform any duty enjoined on him by this chapter, or who consents to or connives at any evasion of its provisions whereby any proceeding required by this chapter is prevented or hindered, or whereby any property required to be listed for taxation is unlawfully exempted, or entered on the tax list at less than its true value, shall, for every such neglect, refusal, consent, or connivance, forfeit and pay to the state not less than \$200, nor more than \$1,000, to be recovered in any court of competent jurisdiction.

[R. L. s. 815] (1998)

**273.22 PERSONAL PROPERTY LISTED.** Personal property shall be listed in the manner following:

(1) Every person of full age and sound mind, being a resident of this state, shall list all his money, credits, bonds, shares of stock of joint stock or other companies or corporations (when the property of such company or corporation is not assessed in this state), moneys loaned or invested, annuities, franchises, royalties, and other personal property;

(2) He shall also list separately, and in the name of his principal, all money



and other personal property invested, loaned, or otherwise controlled by him as the agent or attorney for, or on account of, any other person, company, or corporation, and all moneys deposited subject to his order, check, or draft, and credits due from or owing by any person, company, or corporation;

(3) The property of a minor child or insane person shall be listed by his guardian, or by the person having such property in charge;

(4) The property of a person for whose benefit it is held in trust, by the trustee; of the estate of a deceased person, by the executor or administrator;

(5) The property of a corporation whose assets are in the hands of a receiver, by such receiver;

(6) The property of a body politic or corporate, by the proper agent or officer thereof;

(7) The property of a firm or company, by a partner or agent thereof;

(8) The property of manufacturers and others in the hands of an agent, by such agent in the name of his principal, as merchandise.

[R. L. s. 816] (1999)

**273.23 MERCHANTS; CONSIGNEES.** Every merchant required to list his property shall state also the value of his property pertaining to his business as a merchant. No consignee shall be required to list for taxation any property the product of this state, nor the value of any property consigned to him from any other place for the sole purpose of being stored or forwarded, if he has no interest in such property, and derives no profit from its sale.

[R. L. s. 817] (2000)

**273.24 MANUFACTURERS.** Every manufacturer required to list his property shall state also the value of all articles purchased, received, or otherwise held for the purpose of being used, in whole or in part, in any process of manufacturing, combining, rectifying, or refining. Every manufacturer and person owning a manufacturing establishment of any kind shall list, as part of his manufacturer's stock, the value of all engines, machinery, tools, and implements used or designed to be used in any such process, except such fixtures as have been considered real property.

[R. L. s. 818] (2001)

**273.25 LISTS TO BE VERIFIED.** Every person required to list property for taxation shall make out and deliver to the assessor, upon blanks furnished by him, a verified statement of all personal property owned by him on May first of the current year. He shall also make separate statements in like manner of all personal property in his possession or under his control which by this chapter he is required to list for taxation as agent or attorney, guardian, parent, trustee, executor, administrator, receiver, accounting officer, partner, factor, or in any other capacity; but no person shall be required to include in his statement any share of the capital stock of any company or corporation which it is required to list and return as its capital and property for taxation in this state.

[R. L. s. 819] (2002)

**273.26 PERSONALTY; WHERE LISTED.** Except as otherwise in this chapter provided, personal property shall be listed and assessed in the county, town, or district where the owner, agent, or trustee resides.

[R. L. s. 820] (2003)

**273.27 CERTAIN PERSONAL PROPERTY; WHERE LISTED.** All household goods and furniture, including clocks, musical instruments, sewing machines, wearing apparel of members of the family, and all personal property used by the owner for personal and domestic purposes, or for the furnishing or equipment of the family residence, shall be listed and assessed in the district where the same is usually kept.

[1925 c. 212 s. 1] (2003-1)

**273.28 CAPITAL STOCK AND FRANCHISES.** The capital stock and franchises of corporations and persons, except as otherwise provided, shall be listed and taxed in the county, town, or district where the principal office or place of business of such corporation or person is located in this state; if there be no such office or place of business, then at the place in this state where such corporation or person transacts business.

[R. L. s. 821] (2004)

**273.29 MERCHANTS AND MANUFACTURERS.** The personal property pertaining to the business of a merchant or of a manufacturer shall be listed in the town or district where his business is carried on. Logs and timber cut from lands

within, and designed to be transported out of, this state shall be assessed and taxed in the taxing district where found on May first, and all taxes thereon shall be paid into the different funds of the county of the taxing district and of the state as other taxes are paid, and such taxes shall be a lien upon such logs and timber, which shall not be removed beyond the borders of this state until all such taxes are paid in full.

[R. L. s. 822] (2005)

**273.30 FARM PROPERTY OF NON-RESIDENT.** When the owner of live stock or other personal property connected with a farm does not reside thereon, the same shall be listed and assessed in the town or district where the farm is situated. If the farm is situated in several towns or districts, it shall be listed and assessed in the town or district in which the principal place of business of such farm is located.

[R. L. s. 823] (2006)

**273.31 GRAIN IN ELEVATORS.** Grain in an elevator on a railroad right of way or elsewhere shall be listed and assessed in the assessment district where the elevator is situated.

[R. L. s. 824] (2007)

**273.32 ELEVATORS AND WAREHOUSES ON RAILROAD.** All elevators and warehouses, with the machinery and fixtures therein, situated upon the land of any railroad company, which are not in good faith owned, operated, and exclusively controlled by such company, shall be listed and assessed as personal property in the town or district where situated, in the name of the owner, if known, and, if not known, as "owner unknown."

[R. L. s. 825] (2008)

**273.33 EXPRESS, STAGE AND TRANSPORTATION COMPANIES; PIPE LINES.** Subdivision 1. The personal property of express, stage and transportation companies, and of pipeline companies engaged in the business of transporting natural gas, gasoline or other petroleum products except as otherwise provided by law, shall be listed and assessed in the county, town or district where the same is usually kept.

Subd. 2. The personal property, consisting of the pipeline system of mains, pipes and equipment attached thereto, of pipeline companies and others engaged in the operations or business of transporting natural gas, gasoline or other petroleum products by pipe lines, shall be listed with and assessed by the commissioner of Taxation. This subdivision shall not apply to the assessment of the products transported through the pipe lines nor to the lines of local commercial gas companies engaged primarily in the business of distributing gas to consumers at retail nor to pipe lines used by the owner thereof to supply natural gas or other petroleum products exclusively for such owner's own consumption and not for resale to others. On or before the fifteenth day of November, the commissioner shall certify to the auditor of each county, the amount of such personal property assessment against each company in each district in which such property is located.

[R L s 826; 1943 c 604 s 1; 1949 c 547 s 1] (2009)

**273.34 WATER-CRAFT NOT NAVIGATING INTERNATIONAL WATERS.** All persons, companies, and corporations in this state owning steamboats, sailing vessels, wharf boats, barges, and other water-craft not employed in the navigation of international waters, shall list the same for assessment in the county, town, or district in which the same may belong, or be enrolled, registered, or licensed, or kept when not enrolled, registered, or licensed.

[R. L. s. 827] (2010)

**273.35 GAS AND WATER COMPANIES.** The personal property of gas and water companies shall be listed and assessed in the town or district where located, without regard to where the principal or other place of business of the company may be located.

[R L s 828; 1949 c 449 s 1] (2011)

**273.36 ELECTRIC LIGHT AND POWER COMPANIES.** Personal property of electric light and power companies having a fixed situs in any city, village, or borough in this state shall be listed and assessed where situated, without regard to where the principal or other place of business of the company is located.

[1921 c. 482] (2012)

**273.37 COMPANIES SUPPLYING ELECTRIC POWER.** Subdivision 1. Personal property of electric light and power companies, and other individuals and

partnerships supplying electric light and power, having a fixed situs outside of the corporate limits of villages, cities and boroughs, shall be listed and assessed in the district where situated, except as otherwise provided.

Subd. 2. All transmission and distribution lines, and equipment attached thereto, having a fixed situs outside the corporate limits of villages, cities and boroughs, except distribution lines taxed as provided in sections 273.40 and 273.41, shall be listed with and assessed by the commissioner of taxation in the county where situated. The commissioner shall assess such property at the percentage of true and full value fixed by law; and, on or before the fifteenth day of November, shall certify to the auditor of each county in which such property is located the amount of the assessment made against each company and person owning such property.

[1925 c 306 s 1; 1939 c 321 s 1; 1949 c 554 s 1] (2012-1)

**273.38 PERCENTAGE OF ASSESSMENTS; EXCEPTIONS.** The commissioner of taxation shall assess at five percent of full and true value distribution lines, and the attachments and appurtenances thereto, used primarily for supplying electricity to farmers at retail, and which shall be taxed at the average rate of taxes of all counties throughout the state of Minnesota, levied for all purposes, for the preceding year, and which shall be entered, certified and credited as provided in section 273.42. It is further provided that the distribution lines and the attachments and appurtenances thereto of cooperative associations organized under the provisions of Laws 1923, Chapter 326, and laws amendatory thereof and supplemental thereto, and engaged in the electrical heat, light and power business, upon a mutual, non-profit and cooperative plan, shall be assessed and taxed as provided in sections 273.40 and 273.41.

[1925 c 306 s 2; 1939 c 321 s 2; 1949 c 554 s 2] (2012-2)

**273.39 RURAL AREA.** As used in sections 273.39 to 273.41, the term "rural area" shall be deemed to mean any area of the state not included within the boundaries of any incorporated city, village, or borough, and such term shall be deemed to include both farm and non-farm population thereof.

[1939 c. 303 s. 2] (2012-5)

**273.40 ANNUAL TAX ON COOPERATIVE ASSOCIATIONS.** Cooperative associations organized under the provisions of Laws 1923, Chapter 326, and laws amendatory thereof and laws supplemental thereto, and engaged in electrical heat, light or power business upon a mutual, non-profit, and cooperative plan in rural areas, as hereinafter defined, are hereby recognized as quasi-public in their nature and purposes; but such cooperative associations, which operate within the corporate limits of any village, city or borough shall be assessed on the basis of 40 percent of the full and true value of that portion of its property located within the corporate limits of any village, city or borough as provided for in section 273.13.

[1939 c. 303 s. 1; 1943 c. 643 s. 2] (2012-4)

**273.41 AMOUNT OF TAX; DISTRIBUTION.** There is hereby imposed upon each such cooperative association on December 31 of each year a tax of \$10 for each 100 members, or fraction thereof, of such association. The tax, when paid, shall be in lieu of all personal property taxes, state, county, or local, upon distribution lines and the attachments and appurtenances thereto of such associations located in rural areas. The tax shall be payable on or before March 1 of the next succeeding year, to the commissioner of taxation. If the tax, or any portion thereof, is not paid within the time herein specified for the payment thereof, there shall be added thereto a specific penalty equal to five percent of the amount so remaining unpaid. Such penalty shall be collected as part of said tax, and the amount of said tax not timely paid, together with said penalty, shall bear interest at the rate of four percent per annum from the time such tax should have been paid until paid. The commissioner shall retain five percent of the proceeds of such tax, penalty and interest for expenses of administration and shall distribute the balance thereof, on or before July 1 of each year to the treasurers of the respective counties of the state in proportion to the number of members of such associations in the several counties as of December 31 of the preceding year, as determined by reports of such associations made and verified in such manner and on such forms as may be prescribed by the commissioner of taxation. The moneys so distributed to the respective counties shall be credited by the treasurers thereof, one-half to the general revenue fund and one-half to the general school fund of the county.

There is hereby appropriated to the counties entitled to such payment, from the

fund or account in the state treasury to which the money was credited, an amount sufficient to make such payment as is authorized herein.

[1939 c 303 s 3; 1951 c 590 s 1; 1959 c 158 s 18]

**273.42 RATE OF TAX; ENTRY AND CERTIFICATION; CREDIT ON PAYMENT.** The property set forth in section 273.37, subdivision 2, consisting of transmission lines, and distribution lines not taxed as provided in sections 273.38, 273.40 and 273.41 shall be taxed at the average rate of taxes levied for all purposes throughout the county and shall be entered on the tax lists by the county auditor against the owner thereof and certified to the county treasurer at the same time and in the same manner that other taxes are certified, and, when paid, shall be credited, one-half to the general revenue fund of the county, and one-half to the general school fund of the county.

[1925 c 306 s 3; 1949 c 554 s 3] (2012-3)

**273.43 PERSONAL PROPERTY OF CERTAIN COMPANIES, WHERE LISTED.** The personal property of street railroad, street railway, plank road, gravel road, turnpike, or bridge companies shall be listed in the county, town, city, village, or district where such property is situated, and where such personal property is situated in different counties, towns, cities, villages, or districts, such part of such personal property situated in such county, town, city, village, or district, shall be listed and assessed by the commissioner of taxation in the taxing district where the same is situated, without regard to where the principal or any other place of business of such company is located.

[R. L. s. 829; 1913 c. 25 s. 1] (2013)

**273.44 ESTATES OF DECEDENTS.** The personal property of the estate of a deceased person shall be listed and assessed at the place of listing at the time of his death.

[R. L. s. 830] (2014)

**273.45 PERSONS UNDER GUARDIANSHIP.** The personal property of a minor under guardianship shall be listed and assessed where the guardian resides; and of every other person under guardianship, where the ward resides.

[R. L. s. 831] (2015)

**273.46 ASSIGNEES AND RECEIVERS.** Personal property in the hands of an assignee or receiver shall be listed and assessed at the place of listing before his appointment.

[R. L. s. 832] (2016)

**273.47 PROPERTY MOVED BETWEEN MAY AND JULY.** The owner of personal property, removing from one county, town, or district to another between May first and July first, shall be assessed in either in which he is first called upon by the assessor. A person moving into this state from another state between those dates shall list the property owned by him on May first of such year in the county, town, or district in which he resides, unless he shall make it appear to the assessor that he is held for tax of the current year on the property in another state.

[R. L. s. 833] (2017)

**273.48 WHERE LISTED IN CASE OF DOUBT.** In case of doubt as to the proper place of listing personal property, or where it cannot be listed as in this chapter provided, if between places in the same county, the place for listing and assessing shall be determined by the county board of equalization; and, if between different counties, or places in different counties, by the commissioner of taxation; and when determined in either case shall be as binding as if fixed hereby.

[R. L. s. 834; 1911 c. 223 s. 1] (2018)

**273.49 FORMS FOR LISTING; ASSESSOR TO VALUE.** The commissioner of taxation shall prepare suitable forms for the listing of personal property, each year. He may arrange and classify the items of such property in such groups and classes and, from time to time, change, separate, or consolidate the same as he may deem advisable for securing more accurate information concerning and the more perfect listing and valuation of such property. The assessor shall determine and fix the full and true value of all items of personal property included in any such list and enter the same opposite such items, respectively, and the same shall be assessed for purposes of taxation according to law, so that when completed such statement shall truly and distinctly set forth the full and true value and also the assessed valuation for taxation of such personal property, as required by law.

[R. L. s. 835; 1909 c. 266 s. 1] (2019)

**273.50 LISTS MAY BE DESTROYED.** The county auditor may destroy any

# MINNESOTA STATUTES 1967

list or statement of personal property on file in his office after the expiration of six years from the date when the taxes thereon have been paid or become delinquent. If any proceeding has been begun to enforce payment of such taxes, such list or statement shall not be destroyed before the expiration of one year from the return of an execution unsatisfied, or the termination of the proceeding.

[R. L. s. 837] (2020)

**273.51** [Impliedly repealed, see Bemis Bro. Bag Co. v Wallace 197 Minn. 216, 266 N. W. 690]

**273.52 PRIVATE BANKERS, BROKERS, AND BANKS WITHOUT STOCK.** The accounting officer of every bank whose capital is not represented by shares of stock, and every private banker, broker, and stock jobber, when listing personal property, shall also make out and deliver to the assessor a sworn statement showing:

- (1) The amount of money on hand or in transit;
- (2) The amount of funds in the hands of other banks, brokers, or others subject to draft;
- (3) The amount of checks or cash items not included in either of the preceding items;
- (4) The amount of bills receivable, discounted or purchased, and other credits due or to become due, including accounts receivable, and interest accrued but not due, and interest due and unpaid;
- (5) The amount of bonds and stock of every kind, except United States bonds, and shares of capital stock of joint stock or other companies or corporations held as an investment, or in any way representing assets;
- (6) All other property appertaining to such business, other than real estate, which shall be listed and assessed as other real estate under this chapter;
- (7) The amount of all deposits made with them by other persons;
- (8) The amount of all accounts payable, other than current deposit accounts.

The aggregate amount of the seventh and eighth items shall be deducted from the aggregate amount of the first, second, third, and fourth items, and the remainder, if any, shall be listed as money, under Revised Laws 1905, Section 835, Subdivision 19. The amount of the fifth item shall be listed as bonds and stock under section 835, and the sixth item shall be listed the same as other similar personal property is listed under this chapter, except that, in case of savings banks organized under the general laws of this state, the amount of the seventh and eighth items shall be deducted from the aggregate amount of the first, second, third, fourth, fifth, and sixth items, and the remainder, if any, shall be listed as credits, according to the provisions of Revised Laws 1905, Section 835.

[R. L. s. 839] (2022)

**273.53 ASSESSMENT OF BANK AND MORTGAGE LOAN COMPANY STOCKS; BASIS AND PERCENTAGE OF VALUATION.** The stock of every bank and mortgage loan company in this state, organized under the laws of this state or of the United States, shall be assessed and taxed in the town, city, or village where such bank or mortgage loan company is located, whether the stockholders of such bank reside in such place or not, and shall be assessed in the name of the bank or mortgage loan company. The cashier, or other officer of the bank or mortgage loan company, shall list all shares of the bank or mortgage loan company for assessment, in the same manner as personal property is listed. To aid the assessor in determining the value of such shares of stock, the accounting officer of every such bank or mortgage loan company shall furnish to the assessor a sworn statement showing the amount and number of the shares of the capital stock, the amount of its surplus, undivided profits, and all other funds, and the amount of its legally authorized investments in real estate located in this state, which real estate shall be assessed and taxed as other real estate. The assessor shall deduct the amount of such legally authorized investments in real estate from the aggregate amount of such capital, surplus, undivided profits, and other funds, and the remainder shall be taken as a basis for the valuation of such shares in the hands of the stockholders, and shall be assessed at 33 $\frac{1}{3}$  percent of its full and true value.

[1925 c. 304 s. 1] (2026-1)

**273.54 RECORDS OF STOCKHOLDERS.** Every bank and mortgage loan company shall keep at all times in its office or place of business a full and correct list of the names and residences of the stockholders or parties interested therein, show-

ing the number of shares, and the amount held, owned, or controlled by each party in interest, which list shall be subject to the inspection of the officers authorized to assess property for taxation, and the accounting officer of each bank or mortgage loan company shall furnish to the assessor a duplicate copy of such list, verified by oath, which shall be returned and filed with the county auditor.

[1925 c. 304 s. 2] (2026-2)

**273.55 DEDUCTION OF TAXES BEFORE DECLARING DIVIDEND.** To secure the payment of taxes levied against the stockholders of banks and mortgage loan companies, every bank and mortgage loan company shall, before declaring any dividend, deduct from its annual earnings such amount as may be necessary to pay any taxes levied against the stockholders, and such bank or mortgage loan company, or officers thereof, shall pay the taxes and shall be authorized to charge the amount of such taxes paid to the expense account of such bank or mortgage loan company.

[1925 c. 304 s. 3] (2026-3)

**273.56 ASSESSMENT OF INVESTMENT COMPANY SHARES.** Subdivision 1. The shares of stock of every investment company organized under the laws of this state coming within the purview of section 54.26 shall be assessed and taxed in the taxing district where such investment company has its principal place of business, whether the stockholders of such investment company reside in such place or not, and shall be assessed in the name of and be paid by such investment company. The treasurer or other officer of such investment company shall list all shares of the company for assessment in the same manner as personal property is listed. To aid the assessor in determining the value of such shares of stock, the accounting officer of every such investment company shall furnish to the assessor, on or before June first of each year, a sworn statement showing, as to the immediately preceding May first, the amount and number of the shares of its capital stock, the amount of its surplus and undivided profits, the amount of its real property and tangible personal property located in this state upon which a tax in this state has been paid during the preceding annual period, the amount of any indebtedness upon which taxes have been properly and fully paid under the provisions of sections 287.01 to 287.12 and the aggregate principal amount of bonds, notes, or other evidences of indebtedness issued, guaranteed, or insured as to principal and interest by the state of Minnesota or by a city, county, drainage district, road district, school district, tax district, town, township, village or other civil administration, agency, authority, instrumentality or subdivision thereof, provided such obligations are direct and general obligations of the issuing, guaranteeing, or insuring governmental unit, administration, agency, authority, district, subdivision, or instrumentality or payable from designated revenues pledged to the payment of the principal and interest thereof. The assessor shall deduct the aggregate amount of such real property, tangible personal property, indebtedness and bonds, notes or other evidences of indebtedness from the aggregate amount of such capital, surplus and undivided profits, and the remainder shall be taken as the basis for the valuation of such shares in the hands of the stockholders and shall be assessed at 33½ percent of the full and true value thereof; and such tax shall be in lieu of all other taxes on such investment companies for the year in which such shares are assessed and taxed, except income tax, and shall be in lieu of all other taxes on such shares and taxes on the property of such investment companies, except upon real property, tangible personal property, motor vehicles, mortgage registry taxes, and taxes on franchises measured by income.

Subd. 2. Any company subject to this section, with the consent of one or more subsidiaries, all of the shares of which, except shares issued to a person to qualify him as a director, are owned by such company, such consenting subsidiary or subsidiaries also being subject to this section, may file the return required by subdivision 1 on a consolidated basis as the return of all such companies, and the tax computed in accordance with such return shall be assessed against the parent company.

[Ex1987 c 5 s 1; 1957 c 178 s 1; 1959 c 569 s 1] (2026-5)

**273.57 BANK STOCK, TAXATION.** The stock of every bank and mortgage loan company in this state, organized under the laws of this state or of the United States, shall be assessed and taxed in the town, city, or village where such bank or mortgage loan company is located, whether the stockholders of such bank reside

in such place or not, and shall be assessed in the name of the bank or mortgage loan company. The cashier, or other officer of the bank or mortgage loan company, shall list all shares of the bank or mortgage loan company for assessment, in the same manner as the general property of the bank or mortgage loan company is listed. To aid the assessor in determining the value of such shares of stock, the accounting officer of every such bank or mortgage loan company shall furnish to the assessor a sworn statement showing the amount and number of the shares of the capital stock, the amount of its surplus or reserve fund, and the amount of its legally authorized investments in real estate, which shall be assessed and taxed as other real estate under this chapter. The assessor shall deduct the amount of investments in real estate from the aggregate amount of such capital and surplus fund, and the remainder shall be taken as a basis for the valuation of such shares in the hands of the stockholders, subject to the provisions of the law requiring all property to be assessed at its full and true value. The shares of capital stock of corporate banks not located in this state, held in the state, shall not be required to be listed under this chapter, but shall be listed by and assessed to the owner of such stock.

[1878 c. 1 s. 24; 1905 c. 60 s. 1] (2027)

**273.58 SECURING OF TAX.** To secure the payment of taxes on mortgage loan company and bank stock or banking capital, every bank and mortgage loan company shall, before declaring any dividend, deduct from the annual earnings of the bank such amount as may be necessary to pay any taxes levied upon the shares of the stock, and such bank or mortgage loan company, or officers thereof, shall pay the taxes, and shall be authorized to charge the amount of such taxes paid to the expense account of such bank or mortgage loan company.

[1878 c. 1 s. 26; 1905 c. 60 s. 1] (2028)

**273.59 BANKS; LIST OF STOCKHOLDERS.** In every bank and banking office there shall be kept at all times a full and correct list of the names and residences of the stockholders or owners or parties interested therein, showing the number of shares, and the amount held, owned, or controlled by each party in interest, which list shall be subject to the inspection of the officers authorized to assess property for taxation, and the accounting officer of each bank or banking institution shall furnish to the assessor a duplicate copy of such list, verified by oath, which shall be returned and filed with the county auditor.

[R. L. s. 841] (2029)

Note: This section may be superseded by section 273.54.

**273.60 ASSESSMENT OF SHARES OF JOINT STOCK LAND BANKS.** To aid in agricultural development and in equalizing rates of interest upon farm loans, the shares of stock of joint stock land banks, organized under the laws of the United States are hereby exempted from taxation other than that imposed by sections 273.60 to 273.64 and shall hereafter be subject to an annual tax equal to five mills on each dollar of the fair cash value of such shares.

[1925 c 358 s 1] (2029-1)

**273.61 PLACE OF ASSESSMENT; LISTS AND STATEMENTS; BASIS OF VALUATION.** The stock of every such joint stock land bank in this state shall be assessed and taxed in the town, city, or village where such bank is located, whether the stockholders of such bank reside in such place or not, and shall be assessed in the name of the bank. The cashier, or other officer of the bank, shall list all shares of the bank for assessment, in the same manner as personal property is listed. To aid the assessor in determining the value of such shares of stock, the accounting officer of every such bank shall furnish to the assessor a sworn statement showing the amount and number of the shares of capital stock, the amount of its surplus, undivided profits, and all other funds, and the amount of its legally authorized investments in real estate located in this state, which real estate shall be assessed and taxed as other real estate. The assessor shall deduct the amount of such legally authorized investments in real estate from the aggregate amount of such capital, surplus, undivided profits, and other funds, and the remainder shall be taken as a basis for the valuation of such shares in the hands of the stockholders.

[1925 c. 358 s. 2] (2029-2)

**273.62 LISTS OF STOCKHOLDERS.** Every bank shall keep, at all times in its office or place of business, a full and correct list of the names and residences of the stockholders or parties interested therein, showing the number of shares, and

the amount held, owned, or controlled by each party in interest, which list shall be subject to the inspection of the officers authorized to assess property for taxation, and the accounting officer of each bank shall furnish to the assessor a duplicate copy of such list, verified by oath, which shall be returned and filed with the county auditor.

[1925 c. 358 s. 3] (2029-3)

**273.63 DEDUCTION OF TAX BEFORE DECLARING DIVIDEND.** To secure the payment of taxes levied against the stockholders of such banks every bank shall, before declaring any dividend, deduct from its annual earnings such amount as may be necessary to pay any taxes levied against the stockholders, and such bank, or officers thereof, shall pay the taxes, and shall be authorized to charge the amount of such taxes paid to the expense account of such bank.

[1925 c. 358 s. 4] (2029-4)

**273.64 APPORTIONMENT OF TAXES.** All taxes paid to the county treasurer under the provisions of sections 273.60 to 273.64 shall be apportioned, one-sixth to the revenue fund of the state, one-sixth to the county revenue fund, and the balance shall be divided equally between the school district and the city, village, or town in which any such bank is situated.

[1925 c. 358 s. 5] (2029-5)

**273.65 FAILURE TO LIST; EXAMINATION UNDER OATH; DUTIES OF ASSESSOR.** When the assessor shall be of opinion that the person listing property for himself, or for any other person, company, or corporation, has not made a full, fair, and complete list thereof, he may examine such person, under oath, in regard to the amount of the property he is required to list; and, if such person shall refuse to make full discovery under oath, the assessor may list the property of such person, or his principal, according to his best judgment and information.

[R. L. s. 843] (2030)

**273.66 OWNER ABSENT OR SICK.** If any person required to list property be sick or absent when the assessor calls for a list thereof, the assessor shall leave at the office or usual place of residence or business of such person a written or printed notice requiring such person to make out and leave at a place, and on or before a day named therein, the statement or list required by this chapter. The date of leaving such notice, and the name of the person so required to list, shall be noted by the assessor in his assessment book.

[R. L. s. 844] (2031)

**273.67 PROCEDURE WHEN OWNER DOES NOT LIST OR IS NOT SWORN.** When any person whose duty it is to list shall refuse or neglect to list personal property when called on by the assessor, or to take and subscribe the required oath in regard to the truth of his statement, or any part thereof, the assessor shall enter opposite the name of such person, in an appropriate column, the words "refused to list," or "refused to swear," as the case may be; and when any person whose duty it is to list is absent, or unable from sickness to list, the assessor shall enter opposite the name of such person, in an appropriate column, the word "absent" or "sick." The assessor may administer oaths to all persons who by this chapter are required to swear, or whom he may require to testify, and he may examine, upon oath, any person whom he may suppose to have knowledge of the amount or value of the personal property of any person refusing to list or to verify his list of personal property.

[R. L. s. 845] (2032)

**273.68 FAILURE TO OBTAIN LIST.** In case of failure to obtain a statement of personal property, the assessor shall ascertain the amount and value of such property, and assess the same at such amount as he believes to be the true value thereof. When requested, he shall sign and deliver to the person assessed a copy of the statement showing the valuation of the property so listed.

[R. L. s. 846] (2033)

**273.69 INFORMATIONAL CERTIFICATIONS TO STATE AUDITOR; APPORTIONMENT OF FUNDS.** On or before January 1, 1968, the auditor of each county shall certify to the state auditor:

Subdivision 1. The total ad valorem property tax levy in dollars imposed upon all classes of property exempted from taxation by Extra Session Laws 1967, Chapter 32 within the county for the assessment year 1966, payable in 1967, for the purpose of the county and all cities, villages, boroughs, towns, school districts and other



taxing units, bodies and funds within the county. Any ad valorem property tax levy imposed for state purposes shall be considered as being for the purpose of a taxing unit within the county.

Subd. 2. The total ad valorem property tax levy in dollars imposed upon all property not included in the certification under subdivision 1 within the county for the assessment year 1966, payable in 1967, for the purpose of the county and all cities, villages, boroughs, towns, school districts and other taxing units, bodies and funds within the county. Any ad valorem property tax levy imposed for state purposes shall be considered as being for the purpose of a taxing unit within the county.

Subd. 3. The total ad valorem property tax levy upon all property imposed as specified in subdivision 2 hereof in said county for the assessment year 1967.

Subd. 4. The state auditor shall review the certificates required by subdivisions 2, 3 and 7 and shall determine their correctness. In the event any certificate is incorrect he shall require the county auditor to correct the error and resubmit the certificate.

Subd. 5. The amount certified pursuant to subdivision 1, increased or decreased in the same proportion that the amount certified pursuant to subdivision 3 bears to the amount certified pursuant to subdivision 2 shall be apportioned to each county from the property tax relief fund during each of the years 1968 and 1969 and distributed as provided in subdivision 6.

Subd. 6. On or before February 28, 1968, the state auditor shall issue his warrant in favor of the treasurer of each county in an amount equal to one half the amount apportioned to such county pursuant to subdivision 5. On or before June 30, 1968, the state auditor shall issue his warrant in favor of the treasurer of each county distributing the remainder of the amount due for the year 1968. He shall in the same manner make distributions on or before February 28, 1969, and June 30, 1969, to each county equal in amount to the distributions made in 1968.

Subd. 7. Commencing in 1970 and in each even numbered year thereafter the auditor of each county shall, on or before January 15 of that year, certify to the state auditor the total ad valorem property tax levy upon all property within the county for the preceding assessment year imposed for the purpose specified in subdivision 2. The state auditor shall compare the certificate required by this subdivision with the certificate required by subdivision 2 relating to 1966 and determine the percentage of increase or decrease indicated thereby. For the year in which the certificate is required by this subdivision and the immediately succeeding year there shall be apportioned to each county from the property tax relief fund and distributed in the manner and on the dates provided in subdivision 6 the amount certified pursuant to subdivision 1, increased or decreased by the percentage so determined.

Subd. 8. Each county auditor shall, on or before the last day of March and the last day of July of each year, make an apportionment of the funds distributed to the county from the property tax relief fund to the various taxing districts within the county on the basis of the same formula used by the state auditor in determining the amount to be apportioned to the county. The county auditor shall certify such apportionment to the county treasurer who shall, within 15 days of the receipt of such certificate, make distribution of the funds received from the property tax relief fund and place the same to the credit of each county fund and all cities, villages, boroughs, towns, school districts, and other taxing units, bodies and funds within the county. Any ad valorem property tax levy imposed for state purposes shall be considered as being for the purpose of a taxing unit within the county. Each taxing district shall, using the same formula used by the county in apportioning the receipts from the property tax relief fund, apportion the amount thereof distributed to such taxing district, between the various funds entitled to receive tax proceeds, and shall make distribution thereof or place the same to the credit of the various funds. The county auditor in making the apportionment provided herein shall take into consideration the organization, consolidation, dissolution or change in the territory comprised within the boundaries of any governmental subdivision and any changes in any taxing units, bodies or funds. Such changes in apportionment shall be based on the agreement of the governmental subdivision, taxing units or bodies involved if any such agreement shall be reached.

[*Ex1967 c 32 art 16 s 1*]