

CHAPTER 276

COLLECTION, ACCOUNTING, DISTRIBUTION

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276.012 COMPUTATION AND ADMINISTRATION OF PROPERTY TAX REFUNDS.

(a) On or before October 1 each year, the commissioner of revenue shall certify to the county auditor the property tax refund amount under section 290A.04, subdivision 2, for each parcel of homestead property as defined in section 290A.03, subdivision 6, other than a manufactured home assessed under section 273.125, subdivision 8, paragraph (c), that qualifies for a refund relating to taxes payable in the current year.

(b) The county auditor shall compute the refund for purposes of the proposed property tax notice for each parcel of homestead property as defined in section 290A.03, subdivision 6, other than a manufactured home assessed under section 273.125, subdivision 8, paragraph (c), that may qualify for a refund under section 290A.04, subdivision 2h, for taxes payable in the subsequent year.

(c) After certification of the levies by taxing districts under section 275.07, the county auditor shall compute the refund for each parcel of homestead property as defined in section 290A.03, subdivision 6, other than a manufactured home assessed under section 273.125, subdivision 8, paragraph (c), that qualifies for a refund under section 290A.04, subdivision 2h, for taxes payable in the current year.

(d) The county auditor shall separately certify the amounts in paragraphs (a) and (c) to the county treasurer who shall reflect the amounts as property tax deductions on the property tax statement under section 276.04 for taxes payable in the current year, provided that to receive the refunds, the property must be classified as homestead property under section 273.13 for taxes payable in the year the refund is payable.

(e) The county auditor shall annually separately certify the costs of the property tax refunds under section 290A.04, subdivisions 2 and 2h, to the department of revenue with the abstract of tax lists under section 275.29.

History: 1995 c 264 art 4 s 5

NOTE: This section, as added by Laws 1995, chapter 264, article 4, section 5, is effective for property tax refunds payable as deductions on property tax statements in 1998 and thereafter. See Laws 1995, chapter 264, article 4, section 20.

276.04 NOTICE OF RATES; PROPERTY TAX STATEMENTS.

[For text of subd 1, see M.S.1994]

Subd. 2. Contents of tax statements. (a) The treasurer shall provide for the printing of the tax statements. The commissioner of revenue shall prescribe the form of the property tax statement and its contents. The statement must contain a tabulated statement of the dollar amount due to each taxing authority from the parcel of real property for which a particular tax statement is prepared. The dollar amounts due the county, township or municipality, the total of the metropolitan special taxing districts as defined in section 275.065, subdivision 3, paragraph (i), school district excess referenda levy, remaining school district levy, and the total of other voter approved referenda levies based on market value under section 275.61 must be separately stated. The amounts due all other special taxing districts, if any, may be aggregated. For the purposes of this subdivision, "school district excess referenda levy" means school district taxes for operating purposes approved at referenda, including those taxes based on net tax capacity as well as those based on market value. "School district excess referenda levy" does not include school district taxes for capital expenditures approved at referendums or school district taxes to pay for the debt service on bonds approved at referenda.

The amount of the tax on contamination value imposed under sections 270.91 to 270.98, if any, must also be separately stated. The dollar amounts, including the dollar amount of any special assessments, may be rounded to the nearest even whole dollar. For purposes of this section whole odd-numbered dollars may be adjusted to the next higher even-numbered dollar. The amount of market value excluded under section 273.11, subdivision 16, if any, must also be listed on the tax statement. The statement shall include the following sentence, printed in upper case letters in boldface print: "THE STATE OF MINNESOTA DOES NOT RECEIVE ANY PROPERTY TAX REVENUES. THE STATE OF MINNESOTA REDUCES YOUR PROPERTY TAX BY PAYING CREDITS AND REIMBURSEMENTS TO LOCAL UNITS OF GOVERNMENT."

(b) The property tax statements for manufactured homes and sectional structures taxed as personal property shall contain the same information that is required on the tax statements for real property.

(c) Real and personal property tax statements must contain the following information in the order given in this paragraph. The information must contain the current year tax information in the right column with the corresponding information for the previous year in a column on the left:

- (1) the property's estimated market value under section 273.11, subdivision 1;
- (2) the property's taxable market value after reductions under section 273.11, subdivisions 1a and 16;
- (3) the property's gross tax, calculated by multiplying the property's gross tax capacity times the total local tax rate and adding to the result the sum of the aids enumerated in clause (3);
- (4) a total of the following aids:
 - (i) education aids payable under chapters 124 and 124A;
 - (ii) local government aids for cities, towns, and counties under chapter 477A; and
 - (iii) disparity reduction aid under section 273.1398;
- (5) for homestead residential and agricultural properties, the homestead and agricultural credit aid apportioned to the property. This amount is obtained by multiplying the total local tax rate by the difference between the property's gross and net tax capacities under section 273.13. This amount must be separately stated and identified as "homestead and agricultural credit." For purposes of comparison with the previous year's amount for the statement for taxes payable in 1990, the statement must show the homestead credit for taxes payable in 1989 under section 273.13, and the agricultural credit under section 273.132 for taxes payable in 1989;
- (6) any credits received under sections 273.119; 273.123; 273.135; 273.1391; 273.1398, subdivision 4; 469.171; and 473H.10, except that the amount of credit received under section 273.135 must be separately stated and identified as "taconite tax relief"; and
- (7) the net tax payable in the manner required in paragraph (a).

The commissioner of revenue shall certify to the county auditor the actual or estimated aids enumerated in clauses (3) and (4) that local governments will receive in the following year. In the case of a county containing a city of the first class, for taxes levied in 1991, and for all counties for taxes levied in 1992 and thereafter, the commissioner must certify this amount by September 1.

[For text of subs 3 and 4, see M.S.1994]

History: 1995 c 264 art 16 s 13

NOTE: Subdivision 2 was amended by Laws 1995, chapter 264, article 4, section 6, effective for property tax refunds payable as deductions on property tax statements in 1998 and thereafter. See Laws 1995, chapter 264, article 4, section 20. When effective, the subdivision will read as follows:

"Subd. 2. **Contents of tax statements.** (a) The treasurer shall provide for the printing of the tax statements. The commissioner of revenue shall prescribe the form of the property tax statement and its contents. The statement must contain the parcel identification number and a county identification number as specified by the commissioner. The statement must contain the qualifying tax amount to be used by the taxpayer in claiming a property tax refund under section 290A.04, subdivision 2, in the form and location determined by the commissioner of revenue. The statement must contain a tabulated statement of the dollar amount due to each taxing authority from the parcel of real property for which a particular tax statement is prepared. The dollar amounts due the county, township or municipality, the total of the metropolitan special taxing districts as defined in section 275.065, subdivision 3, paragraph

(i), school district excess referenda levy, remaining school district levy, and the total of other voter approved referenda levies based on market value under section 275.61 must be separately stated. The amounts due all other special taxing districts, if any, may be aggregated. For the purposes of this subdivision, "school district excess referenda levy" means school district taxes for operating purposes approved at referenda, including those taxes based on net tax capacity as well as those based on market value. "School district excess referenda levy" does not include school district taxes for capital expenditures approved at referendums or school district taxes to pay for the debt service on bonds approved at referenda. The amount of the tax on contamination value imposed under sections 270.91 to 270.98, if any, must also be separately stated. The dollar amounts, including the dollar amount of any special assessments, may be rounded to the nearest even whole dollar. For purposes of this section whole odd-numbered dollars may be adjusted to the next higher even-numbered dollar. The amount of market value excluded under section 273.11, subdivision 16, if any, must also be listed on the tax statement. The statement shall include the following sentence, printed in upper case letters in boldface print: "THE STATE OF MINNESOTA DOES NOT RECEIVE ANY PROPERTY TAX REVENUES. THE STATE OF MINNESOTA REDUCES YOUR PROPERTY TAX BY PAYING CREDITS AND REIMBURSEMENTS TO LOCAL UNITS OF GOVERNMENT."

(b) The property tax statements for manufactured homes and sectional structures taxed as personal property shall contain the same information that is required on the tax statements for real property.

(c) Real and personal property tax statements must contain the following information in the order given in this paragraph. The information must contain the current year tax information in the right column with the corresponding information for the previous year in a column on the left:

- (1) the property's estimated market value under section 273.11, subdivision 1;
 - (2) the property's taxable market value after reductions under section 273.11, subdivisions 1a and 16;
 - (3) the property's gross tax, calculated by multiplying the property's gross tax capacity times the total local tax rate and adding to the result the sum of the aids enumerated in clause (3);
 - (4) a total of the following aids:
 - (i) education aids payable under chapters 124 and 124A;
 - (ii) local government aids for cities, towns, and counties under chapter 477A; and
 - (iii) disparity reduction aid under section 273.1398;
 - (5) for homestead residential and agricultural properties, the homestead and agricultural credit aid apportioned to the property. This amount is obtained by multiplying the total local tax rate by the difference between the property's gross and net tax capacities under section 273.13. This amount must be separately stated and identified as "homestead and agricultural credit." For purposes of comparison with the previous year's amount for the statement for taxes payable in 1990, the statement must show the homestead credit for taxes payable in 1989 under section 273.13, and the agricultural credit under section 273.132 for taxes payable in 1989;
 - (6) any credits received under sections 273.119; 273.123; 273.135; 273.1391; 273.1398, subdivision 4; 469.171; and 473H.10, except that the amount of credit received under section 273.135 must be separately stated and identified as "taconite tax relief";
 - (7) the net tax payable in the manner required in paragraph (a);
 - (8) for eligible homestead properties, the property tax refunds under section 290A.04, subdivisions 2 and 2h, if any, shown separately as deductions on the statement; and
 - (9) the tax after deduction of the property tax refunds under clause (8).
- (d) The commissioner of revenue shall certify to the county auditor the actual or estimated aids enumerated in clauses (3) and (4) that local governments will receive in the following year. The commissioner must certify this amount by September 1."

276.09 SETTLEMENT BETWEEN AUDITOR AND TREASURER.

[For text of this section, see M.S.1994]

NOTE: This section was amended by Laws 1995, chapter 264, article 4, section 7, effective for property tax refunds payable as deductions on property tax statements in 1998 and thereafter. See Laws 1995, chapter 264, article 4, section 20. When effective, the section will read as follows:

"276.09 Settlement between auditor and treasurer.

On the later of May 20 of each year or 26 calendar days after the postmark date on the envelopes containing real or personal property tax statements, the county treasurer shall make full settlement with the county auditor of all receipts collected for all purposes, from the date of the last settlement up to and including each day mentioned. The county auditor shall, within 30 days after the settlement, send an abstract of it to the state auditor in the form prescribed by the state auditor. At the settlement the treasurer shall make complete returns of the receipts on the current tax list, showing the amount collected on account of the several funds included in the list.

Settlement of receipts from the later of May 20 or the actual settlement date to December 31 of each year must be made as provided in section 276.111.

For purposes of this section, "receipts" includes all tax payments received by the county treasurer on or before the settlement date and all property tax refunds paid to the county treasurer under section 290A.07."

276.111 DISTRIBUTIONS AND FINAL YEAR-END SETTLEMENT.

[For text of this section, see M.S.1994]

NOTE: This section was amended by Laws 1995, chapter 264, article 4, section 8, effective for property tax refunds payable as deductions on property tax statements in 1998 and thereafter. See Laws 1995, chapter 264, article 4, section 20. When effective, the section will read as follows:

"276.111 Distributions and final year-end settlement.

Within 14 business days after July 20, the county treasurer shall pay to each taxing district 100 percent of the estimated collections arising from taxes levied by and belonging to the taxing district from the settlement day determined in section 276.09 to July 25.

Within seven business days after October 15, the county treasurer shall pay to the school districts 50 percent of the estimated collections arising from taxes levied by and belonging to the school district from July 25 to October 20. The remaining 50 percent of the estimated tax collections must be paid to the school district within the next seven business days. Within ten business days after November 15, the county treasurer shall pay to the school district 100 percent of the estimated collections arising from taxes levied by and belonging to the school districts from October 20 to November 20.

Within ten business days after November 15, the county treasurer shall pay to each taxing district, except any school district, 100 percent of the estimated collections arising from taxes levied by and belonging to each taxing district from July 25 to November 20.

On or before January 5, the county treasurer shall make full settlement with the county auditor of all receipts collected from the settlement day determined in section 276.09 to December 31. After subtracting any tax distributions that have been made to the taxing districts in July, October, and November, the treasurer shall pay to each of the taxing districts on or before January 25, the balance of the tax amounts collected on behalf of each taxing district. Interest accrues at an annual rate of eight percent and must be paid to the taxing district if this final settlement amount is not paid by January 25. Interest must be paid upon appropriation from the general revenue fund of the county. If not paid, it may be recovered by the taxing district in a civil action."

276.131 DISTRIBUTION OF PENALTIES, INTEREST, AND COSTS.

The penalties, interest, and costs collected on special assessments and real and personal property taxes must be distributed as follows:

(1) all penalties and interest collected on special assessments against real or personal property must be distributed to the taxing jurisdiction that levied the assessment;

(2) 50 percent of all penalties and interest collected on real and personal property taxes must be distributed to the county in which the property is located, and the other 50 percent must be distributed to the school districts within the county. The distribution to the school district must be in accordance with the provisions of section 124.10; and

(3) all costs collected by the county on special assessments and on delinquent real and personal property taxes must be distributed to the county in which the property is located.

History: 1995 c 264 art 3 s 16

276.20 WIND ENERGY TAX; DEFINITIONS.

Subdivision 1. **Terms.** For the purposes of this section and section 276.21, the following terms shall have these meanings, unless otherwise provided to the contrary.

Subd. 2. **Wind energy system.** "Wind energy system" means a wind energy conversion system defined under section 216C.06, subdivision 12, which is used as an electric power source.

Subd. 3. **Area.** "Area" means the counties of Lincoln and Pipestone.

Subd. 4. **Home county.** "Home county" means the county of Pipestone.

Subd. 5. **Municipality.** "Municipality" means any city or town that is located in the area.

Subd. 6. **Qualifying wind energy system net tax capacity.** "Qualifying wind energy system net tax capacity" means:

(a) the taxable portion of the net tax capacity of any wind energy system located in the area installed after January 1, 1995;

(b) the portion of the hypothetical net tax capacity of a wind energy system located in the area installed after January 1, 1991, and before January 2, 1995, that would be computed if the property were subject to taxation under section 272.02, subdivision 1, clause (21), paragraph (c).

History: 1995 c 264 art 3 s 17

276.21 WIND ENERGY TAX.

Subdivision 1. **Determining local tax rates.** In determining the local tax rate under section 275.08 for the county and for any municipality in which one or more wind energy sys-

tems are located, the county auditor shall deduct the qualifying wind energy system net tax capacity as defined under section 276.20, subdivision 6, clause (a), from the total net tax capacity of the county and each municipality containing this property.

Subd. 2. County wind energy tax. Each county auditor shall determine the county wind energy tax by multiplying the county tax rate times the net tax capacity of the taxable wind energy system property located within the county. The sum of these amounts for each county in the area shall be called the "county wind energy distribution pool."

Subd. 3. Municipal wind energy tax. Each county auditor shall determine the municipal wind energy tax by multiplying each municipality's tax rate times the net tax capacity of the taxable wind energy system property located within the municipality. The sum of these amounts for all municipalities in the area shall be called the "municipal wind energy distribution pool."

Subd. 4. County wind energy distribution. Each county within the area is entitled to receive a distribution from the county wind energy distribution pool equal to its proportion of qualifying wind energy system net tax capacity relative to the total for all counties in the area, provided that each county in the area shall be entitled to a distribution equal to the greater of (a) ten percent of the total county wind energy distribution pool, or (b) 50 percent of the county's wind energy tax.

Subd. 5. Municipal wind energy distribution. Each municipality within the area is entitled to receive a distribution from the municipal wind energy distribution pool equal to its proportion of qualifying wind energy system net tax capacity relative to the total for all municipalities in the area.

Subd. 6. Wind energy tax settlement; payment. The home county auditor shall determine for each county in the area the difference between the amount of the county wind energy tax under subdivision 2 and the county wind energy distribution under subdivision 4. The home county auditor shall also determine for each municipality within each county in the area, the difference between the amount of the municipal wind energy tax under subdivision 3 and the municipal wind energy distribution under subdivision 5. On or before May 16 of each year, the home county shall certify the differences so determined to each county auditor in the area. In addition, the home county auditor shall certify to those county auditors in the area whose county and municipal wind energy tax exceeds the total county and municipal wind energy tax distribution, the settlement the county is to make to the other counties. On or before June 15 and November 15 of each year, each county treasurer in a county in the area having a total wind energy tax in excess of the total wind energy distribution shall pay one-half of the excess to the other counties in accordance with the home county auditor's certification. On or before June 25 and November 25 of each year, each county treasurer in the area shall pay the county and each municipality its wind energy distribution amount.

History: 1995 c 264 art 3 s 18