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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **284**

January 22, 2007

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The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs

1.1 A bill for an act
1.2 relating to the military; authorizing deferment of special assessments for certain
1.3 members of the armed forces; clarifying that grants from the Support Our
1.4 Troops account may be made to eligible individuals to pay special assessments;
1.5 amending Minnesota Statutes 2006, sections 190.19, subdivision 2; 435.193.

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

1.7 Section 1. Minnesota Statutes 2006, section 190.19, subdivision 2, is amended to read:

1.8 Subd. 2. **Uses.** (a) Money appropriated from the Minnesota "Support Our Troops"
1.9 account may be used for:

1.10 (1) grants directly to eligible individuals;

1.11 (2) grants to one or more eligible foundations for the purpose of making grants to
1.12 eligible individuals, as provided in this section; or

1.13 (3) veterans' services.

1.14 (b) The term, "eligible individual" includes any person who is:

1.15 (1) a member of the Minnesota National Guard or a reserve unit based in Minnesota
1.16 who has been called to active service as defined in section 190.05, subdivision 5;

1.17 (2) a Minnesota resident who is a member of a military reserve unit not based
1.18 in Minnesota, if the member is called to active service as defined in section 190.05,
1.19 subdivision 5;

1.20 (3) any other Minnesota resident performing active service for any branch of the
1.21 military of the United States; and

1.22 (4) a member of the immediate family of an individual identified in clause (1), (2),
1.23 or (3). For purposes of this clause, "immediate family" means the individual's spouse and
1.24 minor children and, if they are dependents of the member of the military, the member's
1.25 parents, grandparents, siblings, stepchildren, and adult children.

2.1 (c) The term "eligible foundation" includes any organization that:

2.2 (1) is a tax-exempt organization under section 501(c)(3) of the Internal Revenue
2.3 Code;

2.4 (2) has articles of incorporation under chapter 317A specifying the purpose of
2.5 the organization as including the provision of financial assistance to members of the
2.6 Minnesota National Guard and other United States armed forces reserves and their
2.7 families and survivors; and

2.8 (3) agrees in writing to distribute any grant money received from the adjutant general
2.9 under this section to eligible individuals as defined in this section and in accordance
2.10 with any written policies and rules the adjutant general may impose as conditions of the
2.11 grant to the foundation.

2.12 (d) Grants may be made to eligible individuals either directly or through an
2.13 eligible foundation to pay special assessments, including but not limited to those billed
2.14 as installment payments, on property benefited by the improvement that is owned by the
2.15 eligible individual.

2.16 (e) The maximum grant awarded to an eligible individual in a calendar year with
2.17 funds from the Minnesota "Support Our Troops" account, either through an eligible
2.18 institution or directly from the adjutant general, may not exceed \$2,000.

2.19 **EFFECTIVE DATE.** This section is effective the day following final enactment
2.20 and applies to any special assessment for which payment is due on or after that date.

2.21 Sec. 2. Minnesota Statutes 2006, section 435.193, is amended to read:

2.22 **435.193 HARDSHIP ASSESSMENT DEFERRAL FOR SENIORS OR**
2.23 **DISABLED.**

2.24 (a) Notwithstanding the provisions of any law to the contrary, any county, statutory
2.25 or home rule charter city, or town, making a special assessment may, at its discretion, defer
2.26 the payment of that assessment for any homestead property:

2.27 (1) owned by a person 65 years of age or older or retired by virtue of a permanent
2.28 and total disability for whom it would be a hardship to make the payments; or

2.29 (2) owned by a person who is a member of the Minnesota National Guard or other
2.30 military reserves who is ordered into active military service, as defined in section 190.05,
2.31 subdivision 5b or 5c, for a period of one year or more, as stated in the person's military
2.32 orders, for whom it would be a hardship to make the payments.

2.33 (b) Any county, statutory or home rule charter city, or town electing to defer
2.34 special assessments shall adopt an ordinance or resolution establishing standards and

3.1 guidelines for determining the existence of a hardship and for determining the existence of
3.2 a disability, but nothing herein shall be construed to prohibit the determination of hardship
3.3 on the basis of exceptional and unusual circumstances not covered by the standards and
3.4 guidelines where the determination is made in a nondiscriminatory manner and does not
3.5 give the applicant an unreasonable preference or advantage over other applicants.

3.6 **EFFECTIVE DATE.** This section is effective the day following final enactment,
3.7 and applies to any special assessment for which payment is due on or after that date.