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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE NO. **2171**

March 19, 2007

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The bill was read for the first time and referred to the Committee on Taxes

1.1 A bill for an act  
1.2 relating to relating or tax increment financing; providing a plan election for first  
1.3 year to receive increment; amending Minnesota Statutes 2006, sections 469.175,  
1.4 subdivision 1; 469.176, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2006, section 469.175, subdivision 1, is amended to read:

1.7 Subdivision 1. **Tax increment financing plan.** (a) A tax increment financing plan  
1.8 shall contain:

1.9 (1) a statement of objectives of an authority for the improvement of a project;

1.10 (2) a statement as to the development program for the project, including the property  
1.11 within the project, if any, that the authority intends to acquire, identified by parcel number,  
1.12 identifiable property name, block, or other appropriate means indicating the area in which  
1.13 the authority intends to acquire properties;

1.14 (3) a list of any development activities that the plan proposes to take place within  
1.15 the project, for which contracts have been entered into at the time of the preparation of  
1.16 the plan, including the names of the parties to the contract, the activity governed by the  
1.17 contract, the cost stated in the contract, and the expected date of completion of that activity;

1.18 (4) identification or description of the type of any other specific development  
1.19 reasonably expected to take place within the project, and the date when the development is  
1.20 likely to occur;

1.21 (5) estimates of the following:

1.22 (i) cost of the project, including administrative expenses, except that if part of the  
1.23 cost of the project is paid or financed with increment from the tax increment financing  
1.24 district, the tax increment financing plan for the district must contain an estimate of the

2.1 amount of the cost of the project, including administrative expenses, that will be paid or  
2.2 financed with tax increments from the district;

2.3 (ii) amount of bonded indebtedness to be incurred;

2.4 (iii) sources of revenue to finance or otherwise pay public costs;

2.5 (iv) the most recent net tax capacity of taxable real property within the tax increment  
2.6 financing district and within any subdistrict;

2.7 (v) the estimated captured net tax capacity of the tax increment financing district  
2.8 at completion; and

2.9 (vi) the duration of the tax increment financing district's and any subdistrict's  
2.10 existence;

2.11 (6) statements of the authority's alternate estimates of the impact of tax increment  
2.12 financing on the net tax capacities of all taxing jurisdictions in which the tax increment  
2.13 financing district is located in whole or in part. For purposes of one statement, the  
2.14 authority shall assume that the estimated captured net tax capacity would be available to  
2.15 the taxing jurisdictions without creation of the district, and for purposes of the second  
2.16 statement, the authority shall assume that none of the estimated captured net tax capacity  
2.17 would be available to the taxing jurisdictions without creation of the district or subdistrict;

2.18 (7) identification and description of studies and analyses used to make the  
2.19 determination set forth in subdivision 3, clause (2); and

2.20 (8) identification of all parcels to be included in the district or any subdistrict.

2.21 (b) The authority may specify in the tax increment financing plan the first year  
2.22 in which it elects to receive increment, up to four years following the year of approval  
2.23 of the district.

2.24 Sec. 2. Minnesota Statutes 2006, section 469.176, subdivision 1, is amended to read:

2.25 Subdivision 1. **Duration of tax increment financing districts.** (a) Subject to the  
2.26 limitations contained in subdivisions 1a to 1f, any tax increment financing district as to  
2.27 which bonds are outstanding, payment for which the tax increment and other revenues  
2.28 have been pledged, shall remain in existence at least as long as the bonds continue to be  
2.29 outstanding. The municipality may, at the time of approval of the initial tax increment  
2.30 financing plan, provide for one or both of the following:

2.31 (1) a shorter maximum duration limit than specified in subdivisions 1a to 1f;

2.32 (2) an election as provided under section 469.175, subdivision 1, paragraph (b).

2.33 The specified limit applies in place of the otherwise applicable limit, unless the authority  
2.34 modifies the plan following the procedures under section 469.175, subdivision 4,  
2.35 paragraph (b).

3.1 (b) The tax increment pledged to the payment of the bonds and interest thereon may  
3.2 be discharged and the tax increment financing district may be terminated if sufficient funds  
3.3 have been irrevocably deposited in the debt service fund or other escrow account held in  
3.4 trust for all outstanding bonds to provide for the payment of the bonds at maturity or date  
3.5 of redemption and interest thereon to the maturity or redemption date.

3.6 (c) For bonds issued pursuant to section 469.178, subdivisions 2 and 3, the full  
3.7 faith and credit and any taxing powers of the municipality or authority are pledged to the  
3.8 payment of the bonds until the principal of and interest on the bonds has been paid in full.