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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 937

February 19, 2009

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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 taxation; job opportunity building zones; allowing amendments to
1.3 agreements under certain circumstances; amending Minnesota Statutes 2008,
1.4 section 469.3192.

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

1.6 Section 1. Minnesota Statutes 2008, section 469.3192, is amended to read:

1.7 **469.3192 PROHIBITION AGAINST AMENDMENTS TO BUSINESS**
1.8 **SUBSIDY AGREEMENT.**

1.9 (a) Except as authorized under paragraph (b) or section 469.3191, under no
1.10 circumstance shall terms of any agreement required as a condition for eligibility for
1.11 benefits listed under section 469.315 be amended to change job creation, job retention,
1.12 or wage goals included in the agreement.

1.13 (b) A local unit of government and qualified business that are parties to a business
1.14 subsidy agreement required as condition for eligibility for benefits listed under section
1.15 469.315 may agree to amend the agreement, if the following conditions are met:

1.16 (1) the only effect of the amendment is to allow a period of time, not to exceed two
1.17 years, during which the qualified business is subject to lower job creation, job retention, or
1.18 wage goals than were provided under the agreement prior to the amendment;

1.19 (2) to the extent required by the agreement, the qualified business met or exceeded
1.20 the job creation, job retention, or wage goals in the agreement for the years ending prior to
1.21 the year in which the amendment is adopted; and

1.22 (3) the commissioner approves the amendment after finding that the extension of
1.23 time is justified by the inability of the qualified business to meet the original goals as a

2.1 result of general business conditions or other factors that were outside the control of
2.2 and were no fault of the qualified business.

2.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.