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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **1585**

March 12, 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; property; abandoned personal property; amending Minnesota
1.3 Statutes 2008, sections 281.23, by adding a subdivision; 282.04, subdivision 2.

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

1.5 Section 1. Minnesota Statutes 2008, section 281.23, is amended by adding a
1.6 subdivision to read:

1.7 Subd. 10. **Effect of forfeiture on abandoned personal property.** Each notice
1.8 required under this section must also contain the following sentence in the body of the
1.9 notice in prominent type: FAILURE TO REDEEM THE LANDS PRIOR TO THE
1.10 EXPIRATION OF REDEMPTION WILL ALSO RESULT IN A FORFEITURE OF ANY
1.11 PERSONAL PROPERTY THAT YOU HAVE NOT REMOVED FROM THE LANDS.

1.12 **EFFECTIVE DATE.** This section is effective for notices of the expiration of the
1.13 time for redemption that are published, mailed, and personally served on or after July
1.14 1, 2009.

1.15 Sec. 2. Minnesota Statutes 2008, section 282.04, subdivision 2, is amended to read:

1.16 Subd. 2. **Rights before sale; improvements, insurance, demolition.** (a) Before
1.17 the sale of a parcel of forfeited land the county auditor may, with the approval of the
1.18 county board of commissioners, provide for the repair and improvement of any building or
1.19 structure located upon the parcel, and may provide for maintenance of tax-forfeited lands,
1.20 if it is determined by the county board that such repairs, improvements, or maintenance
1.21 are necessary for the operation, use, preservation, and safety of the building or structure.

2.1 (b) If so authorized by the county board, the county auditor may insure the building
 2.2 or structure against loss or damage resulting from fire or windstorm, may purchase
 2.3 workers' compensation insurance to insure the county against claims for injury to the
 2.4 persons employed in the building or structure by the county, and may insure the county, its
 2.5 officers and employees against claims for injuries to persons or property because of the
 2.6 management, use, or operation of the building or structure.

2.7 (c) The county auditor may, with the approval of the county board, provide:

2.8 (1) for the demolition of the building or structure, which has been determined
 2.9 by the county board to be especially liable to fire or so situated as to endanger life or
 2.10 limb or other buildings or property in the vicinity because of age, dilapidated condition,
 2.11 defective chimney, defective electric wiring, any gas connection, heating apparatus, or
 2.12 other defect; and

2.13 (2) for the sale of salvaged materials from the building or structure.

2.14 (d) ~~The county auditor, with the approval of the county board, may provide for~~
 2.15 ~~the sale of abandoned personal property. The sale may be made by the sheriff using~~
 2.16 ~~the procedures for the sale of abandoned property in section 345.15 or by the county~~
 2.17 ~~auditor using the procedures for the sale of abandoned property in section 504B.271. That~~
 2.18 ~~personal property remaining on real property after the expiration of the redemption period~~
 2.19 ~~for the real property is deemed to have been abandoned by its owner and may be sold at~~
 2.20 ~~public or private sale, or otherwise disposed of by the county board without further notice~~
 2.21 ~~or delay.~~ The net proceeds from any sale of the personal property, salvaged materials,
 2.22 timber or other products, or leases made under this law must be deposited in the forfeited
 2.23 tax sale fund and must be distributed in the same manner as if the parcel had been sold.

2.24 (e) The county auditor, with the approval of the county board, may provide for the
 2.25 demolition of any structure on tax-forfeited lands, if in the opinion of the county board,
 2.26 the county auditor, and the land commissioner, if there is one, the sale of the land with the
 2.27 structure on it, or the continued existence of the structure by reason of age, dilapidated
 2.28 condition or excessive size as compared with nearby structures, will result in a material
 2.29 lessening of net tax capacities of real estate in the vicinity of the tax-forfeited lands, or
 2.30 if the demolition of the structure or structures will aid in disposing of the tax-forfeited
 2.31 property.

2.32 (f) Before the sale of a parcel of forfeited land located in an urban area, the county
 2.33 auditor may with the approval of the county board provide for the grading of the land
 2.34 by filling or the removal of any surplus material from it. If the physical condition of
 2.35 forfeited lands is such that a reasonable grading of the lands is necessary for the protection
 2.36 and preservation of the property of any adjoining owner, the adjoining property owner

3.1 or owners may apply to the county board to have the grading done. If, after considering
3.2 the application, the county board believes that the grading will enhance the value of the
3.3 forfeited lands commensurate with the cost involved, it may approve it, and the work must
3.4 be performed under the supervision of the county or city engineer, as the case may be, and
3.5 the expense paid from the forfeited tax sale fund.

3.6 **EFFECTIVE DATE.** This section is effective for personal property located on
3.7 parcels of real property for which the notice of the expiration of the time for redemption
3.8 was published, mailed, and personally served on or after July 1, 2009.