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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 1379

02/16/2017 Authored by Anderson, P., and Davnie
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 tax forfeiture; amending the period of redemption; giving county auditors
1.3 additional authority; allowing counties to sell tax-forfeited lands online; allowing
1.4 an eviction action when an individual holds over real property after a real estate
1.5 tax judgment sale; allowing a landlord to dispose of an evicted tenant's property;
1.6 making technical and conforming changes; amending Minnesota Statutes 2016,
1.7 sections 276.017, subdivision 3; 279.37, subdivision 1a, by adding a subdivision;
1.8 281.17; 281.173, subdivision 2; 281.174, subdivision 3; 281.23, by adding a
1.9 subdivision; 282.01, subdivisions 4, 6, by adding a subdivision; 282.016; 282.018,
1.10 subdivision 1; 282.02; 282.241, subdivision 1; 282.322; 504B.285, subdivision 1;
1.11 504B.365, subdivision 3; proposing coding for new law in Minnesota Statutes,
1.12 chapter 281; repealing Minnesota Statutes 2016, section 281.22.

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

1.14 Section 1. Minnesota Statutes 2016, section 276.017, subdivision 3, is amended to read:

1.15 Subd. 3. **United States Postal Service postmark.** The postmark of the United States
1.16 Postal Service qualifies as proof of timely mailing for this section. If the payment is sent
1.17 by United States registered mail, the date of registration is the postmark date. If the payment
1.18 is sent by United States certified mail, the date of the United States Postal Service postmark
1.19 on the receipt given to the person presenting the payment for delivery is the date of mailing.
1.20 Mailing, or the time of mailing, may also be established by other available evidence except
1.21 ~~that the postmark of a private postage meter may not be used as proof of a timely mailing~~
1.22 ~~made under this section~~ postage not accompanied by the postmark of the United States
1.23 Postal Service may not be used as proof of timely mailing.

1.24 Sec. 2. Minnesota Statutes 2016, section 279.37, subdivision 1a, is amended to read:

1.25 Subd. 1a. **Class 3a property.** (a) The delinquent taxes upon a parcel of property which
1.26 was classified class 3a for the previous year's assessment shall be eligible to be composed

2.1 into a confession of judgment with the approval of the county auditor. Property qualifying
2.2 under this subdivision shall be subject to the same provisions as provided in this section
2.3 except as provided in paragraphs (b) to (f).

2.4 (b) Current year taxes and penalty due at the time the confession of judgment is entered
2.5 must be paid.

2.6 (c) The down payment must include all special assessments due in the current tax year,
2.7 all delinquent special assessments, and 20 percent of the ad valorem tax, penalties, and
2.8 interest accrued against the parcel. The balance remaining is payable in four equal annual
2.9 installments. A municipality as defined in section 429.011, cities of the first class, and other
2.10 special assessment authorities, that have certified special assessments against any parcel of
2.11 property, may, through resolution, waive the requirement of payment of all current and
2.12 delinquent special assessments at the time the confession is entered. If the municipality,
2.13 city, or authority grants the waiver, 100 percent of all current year taxes, special assessments,
2.14 and penalties due at the time, along with 20 percent of all delinquent taxes, special
2.15 assessments, penalties, interest, and fees, must be paid. The balance remaining shall be
2.16 subject to and included in the installment plan.

2.17 (d) When there are current and delinquent special assessments certified and billed against
2.18 a parcel, the assessment authority or municipality as defined in section 429.011 may abate
2.19 under section 375.192, subdivision 2, all special assessments and the penalty and interest
2.20 affiliated with the special assessments, and reassess the special assessments, penalties, and
2.21 interest accrued thereon, under section 429.071, subdivision 2. The municipality shall notify
2.22 the county auditor of its intent to reassess as a precondition to the entry of the confession
2.23 of judgment. Upon the notice to abate and reassess, the municipality shall, through resolution,
2.24 notify the county auditor to remove all current and delinquent special assessments and the
2.25 accrued penalty and interest on the special assessments, and the payment of all or a portion
2.26 of the current and delinquent assessments shall not be required as part of the down payment
2.27 due at the time the confession of judgment is entered in accordance with paragraph (c).

2.28 (e) The amounts entered in judgment bear interest at the rate provided in section 279.03,
2.29 subdivision 1a, commencing with the date the judgment is entered. The interest rate is
2.30 subject to change each year on the unpaid balance in the manner provided in section 279.03,
2.31 subdivision 1a.

2.32 ~~(f) The county auditor may require conditions on properties including, but not limited~~
2.33 ~~to, environmental remediation action plan requirements, restrictions, or covenants when~~
2.34 ~~considering a request for approval of eligibility for composition into a confession of judgment~~

3.1 ~~for delinquent taxes upon a parcel of property which was classified class 3a for the previous~~
 3.2 ~~year's assessment.~~

3.3 Sec. 3. Minnesota Statutes 2016, section 279.37, is amended by adding a subdivision to
 3.4 read:

3.5 Subd. 1b. **Conditions.** The county auditor may, by written policy, require conditions
 3.6 including, but not limited to, environmental remediation action plan requirements, restrictions,
 3.7 or covenants; financial literacy counseling; compliance with municipal housing codes; and
 3.8 other conditions as the auditor may deem appropriate when considering a request for approval
 3.9 of eligibility for composition into a confession of judgment for delinquent taxes upon a
 3.10 parcel of property.

3.11 Sec. 4. Minnesota Statutes 2016, section 281.17, is amended to read:

3.12 **281.17 PERIOD FOR OF REDEMPTION.**

3.13 (a) Except for properties described in paragraphs (b) and (c), or properties for which the
 3.14 period of redemption has been limited under sections 281.173 and 281.174, the following
 3.15 periods for period of redemption apply.

3.16 ~~The period of redemption for all lands sold to the state at a tax judgment sale shall be~~
 3.17 ~~three years from the date of sale to the state of Minnesota.~~

3.18 ~~The period of redemption for homesteaded lands as defined in section 273.13, subdivision~~
 3.19 ~~22, located in a targeted neighborhood as defined in Laws 1987, chapter 386, article 6,~~
 3.20 ~~section 4, and sold to the state at a tax judgment sale is three years from the date of sale.~~

3.21 (b) The period of redemption for all lands located in a targeted neighborhood community
 3.22 as defined in ~~Laws 1987, chapter 386, article 6, section 4~~ section 469.201, subdivision 10,
 3.23 except homesteaded lands as defined in section 273.13, subdivision 22, is one year from
 3.24 the date of sale.

3.25 (c) The period of redemption for all real property constituting a mixed municipal solid
 3.26 waste disposal facility that is a qualified facility under section 115B.39, subdivision 1, is
 3.27 one year from the date of the sale to the state of Minnesota.

3.28 (d) In determining the period of redemption, the county must use the property's
 3.29 classification and homestead classification for the assessment year on which the tax judgment
 3.30 is based. Any change in the property's classification or homestead classification after the
 3.31 assessment year on which the tax judgment is based does not affect the period of redemption.

4.1 Sec. 5. Minnesota Statutes 2016, section 281.173, subdivision 2, is amended to read:

4.2 Subd. 2. **Summons and complaint.** Any city, county, housing and redevelopment
4.3 authority, port authority, or economic development authority, in which the premises are
4.4 located may commence an action in district court to reduce the period otherwise allowed
4.5 for redemption under this chapter. The action must be commenced by the filing of a
4.6 complaint, naming as defendants the record fee owners or the owner's personal representative,
4.7 or the owner's heirs as determined by a court of competent jurisdiction, contract for deed
4.8 purchasers, mortgagees, assigns of any of the above, the taxpayers as shown on the records
4.9 of the county auditor, the Internal Revenue Service of the United States and the Revenue
4.10 Department of the state of Minnesota if tax liens against the owners or contract for deed
4.11 purchasers have been recorded or filed; and any other person the plaintiff determines should
4.12 be made a party. The action shall be filed in district court for the county in which the premises
4.13 are located. The complaint must identify the premises by legal description. The complaint
4.14 must allege (1) that the premises are abandoned, (2) that the tax judgment sale pursuant to
4.15 section 280.01 has been made, and (3) notice of expiration of the time for redemption has
4.16 not been given.

4.17 The complaint must request an order reducing the redemption period to five weeks.
4.18 When the complaint has been filed, the court shall issue a summons commanding the person
4.19 or persons named in the complaint to appear before the court on a day and at a place stated
4.20 in the summons. The appearance date shall be not less than 15 nor more than 25 days from
4.21 the date of the issuing of the summons. A copy of the filed complaint must be attached to
4.22 the summons.

4.23 Sec. 6. Minnesota Statutes 2016, section 281.174, subdivision 3, is amended to read:

4.24 Subd. 3. **Summons and complaint.** Any city, county, housing and redevelopment
4.25 authority, port authority, or economic development authority in which the property is located
4.26 may commence an action in district court to reduce the period otherwise allowed for
4.27 redemption under this chapter from the date of the requested order. The action must be
4.28 commenced by the filing of a complaint, naming as defendants the record fee owners or the
4.29 owner's personal representative, or the owner's heirs as determined by a court of competent
4.30 jurisdiction, contract for deed purchasers, mortgagees, assigns of any of the above, the
4.31 taxpayers as shown on the records of the county auditor, the Internal Revenue Service of
4.32 the United States and the revenue department of the state of Minnesota if tax liens against
4.33 the owners or contract for deed purchasers have been recorded or filed, and any other person
4.34 the plaintiff determines should be made a party. The action shall be filed in district court

5.1 for the county in which the property is located. The complaint must identify the property
 5.2 by legal description. The complaint must allege (1) that the property is vacant, (2) that the
 5.3 tax judgment sale under section 280.01 has been made, and (3) notice of expiration of the
 5.4 time for redemption has not been given.

5.5 The complaint must request an order reducing the redemption period to five weeks.
 5.6 When the complaint has been filed, the court shall issue a summons commanding the person
 5.7 or persons named in the complaint to appear before the court on a day and at a place stated
 5.8 in the summons. The appearance date shall be not less than 15 nor more than 25 days from
 5.9 the date of the issuing of the summons, except that, when the United States of America is
 5.10 a party, the date shall be set in accordance with applicable federal law. A copy of the filed
 5.11 complaint must be attached to the summons.

5.12 Sec. 7. Minnesota Statutes 2016, section 281.23, is amended by adding a subdivision to
 5.13 read:

5.14 Subd. 10. **Business to cease operations after notice.** (a) After the execution of a
 5.15 certificate pursuant to subdivision 9, the county auditor may direct a business located on a
 5.16 parcel of tax-forfeited property to immediately cease operations while the title to the parcel
 5.17 is held by the state in trust for the local taxing districts.

5.18 (b) If the county auditor directs a business to cease operations under this subdivision,
 5.19 the county and state are not liable for any loss of business, damages, or other costs or
 5.20 expenses that result from the direction to cease operations.

5.21 Sec. 8. **[281.231] MAINTENANCE; EXPENDITURE OF PUBLIC FUNDS.**

5.22 If the county auditor provides notice as required by section 281.23, the state, agency,
 5.23 political subdivision, or other entity that becomes the fee owner or manager of a property
 5.24 as a result of forfeiture due to nonpayment of real property taxes is not bound by any
 5.25 servitude, agreement, easement, or other encumbrance affecting the property that requires
 5.26 the expenditure of public funds. The fee owner or manager of a property may, at its discretion,
 5.27 spend public funds necessary for the maintenance, security, or management of the property.

5.28 Sec. 9. **[281.70] LIMITED RIGHT OF ENTRY.**

5.29 Subdivision 1. **Limited right of entry.** If premises described in a real estate tax judgment
 5.30 sale are vacant or unoccupied, the county auditor or a person acting on behalf of the county
 5.31 auditor may, but is not obligated to, enter the premises to protect the premises from waste
 5.32 or trespass until the county auditor is notified that the premises are occupied. An affidavit

6.1 of the sheriff, the county auditor, or a person acting on behalf of the county auditor describing
 6.2 the premises and stating that the premises are vacant and unoccupied is prima facie evidence
 6.3 of the facts stated in the affidavit. If the affidavit contains a legal description of the premises,
 6.4 the affidavit may be recorded in the office of the county recorder or the registrar of titles in
 6.5 the county where the premises are located.

6.6 Subd. 2. **Authorized actions.** (a) The county auditor may take one or more of the
 6.7 following actions to protect the premises from waste or trespass:

6.8 (1) install or change locks on doors and windows;

6.9 (2) board windows; and

6.10 (3) other actions to prevent or minimize damage to the premises from the elements,
 6.11 vandalism, trespass, or other illegal activities.

6.12 (b) If the county auditor installs or changes locks on premises under paragraph (a), the
 6.13 county auditor must promptly deliver a key to the premises to the taxpayer or any person
 6.14 lawfully claiming through the taxpayer upon request.

6.15 Subd. 3. **Costs.** Costs incurred by the county auditor in protecting the premises from
 6.16 waste or trespass under this section may be added to the delinquent taxes due. The costs
 6.17 may bear interest to the extent provided, and interest may be added to the delinquent taxes
 6.18 due.

6.19 Subd. 4. **Scope.** The actions authorized under this section are in addition to, and do not
 6.20 limit or replace, any other rights or remedies available to the county auditor under Minnesota
 6.21 law.

6.22 Sec. 10. Minnesota Statutes 2016, section 282.01, subdivision 4, is amended to read:

6.23 Subd. 4. **Sale; method; requirements; effects.** (a) The sale authorized under
 6.24 subdivision 3 must be conducted by the county auditor at the county seat of the county in
 6.25 which the parcels lie, except that in St. Louis and Koochiching Counties, the sale may be
 6.26 conducted in any county facility within the county. The sale must not be for less than the
 6.27 appraised value except as provided in subdivision 7a. The parcels must be sold for cash
 6.28 only, unless the county board of the county has adopted a resolution providing for their sale
 6.29 on terms, in which event the resolution controls with respect to the sale. When the sale is
 6.30 made on terms other than for cash only (1) a payment of at least ten percent of the purchase
 6.31 price must be made at the time of purchase, and the balance must be paid in no more than
 6.32 ten equal annual installments, or (2) the payments must be made in accordance with county
 6.33 board policy, but in no event may the board require more than 12 installments annually,

7.1 and the contract term must not be for more than ten years. Standing timber or timber products
 7.2 must not be removed from these lands until an amount equal to the appraised value of all
 7.3 standing timber or timber products on the lands at the time of purchase has been paid by
 7.4 the purchaser. If a parcel of land bearing standing timber or timber products is sold at public
 7.5 auction for more than the appraised value, the amount bid in excess of the appraised value
 7.6 must be allocated between the land and the timber in proportion to their respective appraised
 7.7 values. In that case, standing timber or timber products must not be removed from the land
 7.8 until the amount of the excess bid allocated to timber or timber products has been paid in
 7.9 addition to the appraised value of the land. The purchaser is entitled to immediate possession,
 7.10 subject to the provisions of any existing valid lease made in behalf of the state.

7.11 (b) For sales occurring on or after July 1, 1982, the unpaid balance of the purchase price
 7.12 is subject to interest at the rate determined pursuant to section 549.09. The unpaid balance
 7.13 of the purchase price for sales occurring after December 31, 1990, is subject to interest at
 7.14 the rate determined in section 279.03, subdivision 1a. The interest rate is subject to change
 7.15 each year on the unpaid balance in the manner provided for rate changes in section 549.09
 7.16 or 279.03, subdivision 1a, whichever, is applicable. Interest on the unpaid contract balance
 7.17 on sales occurring before July 1, 1982, is payable at the rate applicable to the sale at the
 7.18 time that the sale occurred.

7.19 (c) Notwithstanding subdivision 7, a county board may by resolution provide for the
 7.20 listing and sale of individual parcels by other means, including through a real estate broker.
 7.21 However, if the buyer under this paragraph could have repurchased a parcel of property
 7.22 under section 282.012 or 282.241, that buyer may not purchase that same parcel of property
 7.23 at the sale under this subdivision for a purchase price less than the sum of all taxes,
 7.24 assessments, penalties, interest, and costs due at the time of forfeiture computed under
 7.25 section 282.251, and any special assessments for improvements certified as of the date of
 7.26 sale. This subdivision shall be liberally construed to encourage the sale and utilization of
 7.27 tax-forfeited land in order to eliminate nuisances and dangerous conditions and to increase
 7.28 compliance with land use ordinances.

7.29 Sec. 11. Minnesota Statutes 2016, section 282.01, subdivision 6, is amended to read:

7.30 Subd. 6. **Duties of commissioner after sale.** (a) When any sale has been made by the
 7.31 county auditor under sections 282.01 to 282.13, the auditor shall immediately certify to the
 7.32 commissioner of revenue such information relating to such sale, on such forms as the
 7.33 commissioner of revenue may prescribe as will enable the commissioner of revenue to
 7.34 prepare an appropriate deed if the sale is for cash, or keep necessary records if the sale is

8.1 on terms; and not later than October 31 of each year the county auditor shall submit to the
8.2 commissioner of revenue a statement of all instances wherein any payment of principal,
8.3 interest, or current taxes on lands held under certificate, due or to be paid during the preceding
8.4 calendar years, are still outstanding at the time such certificate is made. When such statement
8.5 shows that a purchaser or the purchaser's assignee is in default, the commissioner of revenue
8.6 may instruct the county board of the county in which the land is located to cancel said
8.7 certificate of sale in the manner provided by subdivision 5, provided that upon
8.8 recommendation of the county board, and where the circumstances are such that the
8.9 commissioner of revenue after investigation is satisfied that the purchaser has made every
8.10 effort reasonable to make payment of both the annual installment and said taxes, and that
8.11 there has been no willful neglect on the part of the purchaser in meeting these obligations,
8.12 then the commissioner of revenue may extend the time for the payment for such period as
8.13 the commissioner may deem warranted, not to exceed one year. On payment in full of the
8.14 purchase price, appropriate conveyance in fee, in such form as may be prescribed by the
8.15 attorney general, shall be issued by the commissioner of revenue, which conveyance must
8.16 be recorded by the county and shall have the force and effect of a patent from the state
8.17 subject to easements and restrictions of record at the date of the tax judgment sale, including,
8.18 but without limitation, permits for telephone and electric power lines either by underground
8.19 cable or conduit or otherwise, sewer and water lines, highways, railroads, and pipe lines for
8.20 gas, liquids, or solids in suspension.

8.21 (b) The commissioner of revenue shall issue an appropriate conveyance in fee upon the
8.22 receipt of a loan commitment or approval from the county auditor. For purposes of this
8.23 paragraph, "loan commitment" or "loan approval" means a written commitment or approval
8.24 to make a mortgage loan from a lender approved to make mortgage loans in Minnesota.
8.25 The conveyance shall be issued to the county auditor where the land is located. Upon receipt
8.26 of the conveyance, the county auditor shall hold the conveyance until such time as the
8.27 conveyance is requested from a title company licensed to do business in Minnesota. If a
8.28 request for the conveyance is not made within 45 days of the date the conveyance is issued
8.29 by the commissioner of revenue, the county auditor shall return the conveyance to the
8.30 commissioner. The title company making the request for the conveyance shall certify to the
8.31 county auditor that the conveyance is necessary to close the purchase of the subject property
8.32 within five days of the request. If the conveyance is delivered to the title company and the
8.33 closing does not occur within five days of the request, the title company shall immediately
8.34 return the conveyance to the county auditor, and upon receipt, the county auditor shall return
8.35 the deed to the commissioner of revenue. The commissioner of revenue shall destroy all
8.36 deeds returned by the county auditor pursuant to this subdivision.

9.1 Sec. 12. Minnesota Statutes 2016, section 282.01, is amended by adding a subdivision to
9.2 read:

9.3 Subd. 13. **Online auction.** A county board, or a county auditor if the auditor has been
9.4 delegated such authority under section 282.135, may sell tax-forfeited lands through an
9.5 online auction. When an online auction is used to sell tax-forfeited lands, the county auditor
9.6 shall post a physical notice of the online auction and shall publish a notice of the online
9.7 auction on its Web site not less than ten days before the online auction begins, in addition
9.8 to any other notice required.

9.9 **EFFECTIVE DATE.** This section is effective for sales of tax-forfeited property that
9.10 occur on or after August 1, 2017.

9.11 Sec. 13. Minnesota Statutes 2016, section 282.016, is amended to read:

9.12 **282.016 PROHIBITED PURCHASERS.**

9.13 (a) A county auditor, county treasurer, county attorney, court administrator of the district
9.14 court, county assessor, supervisor of assessments, deputy or clerk or an employee of such
9.15 officer, a commissioner for tax-forfeited lands or an assistant to such commissioner, must
9.16 not become a purchaser, either personally or as an agent or attorney for another person, of
9.17 the properties offered for sale under the provisions of this chapter in the county for which
9.18 the person performs duties. ~~A person prohibited from purchasing property under this section~~
9.19 ~~must not directly or indirectly have another person purchase it on behalf of the prohibited~~
9.20 ~~purchaser for the prohibited purchaser's benefit or gain.~~

9.21 (b) Notwithstanding paragraph (a), such officer, deputy, clerk, or employee or
9.22 commissioner for tax-forfeited lands or assistant to such commissioner may (1) purchase
9.23 lands owned by that official at the time the state became the absolute owner thereof or (2)
9.24 bid upon and purchase forfeited property offered for sale under the alternate sale procedure
9.25 described in section 282.01, subdivision 7a.

9.26 (c) In addition to the persons identified in paragraph (a), a county auditor may prohibit
9.27 other persons and entities from becoming a purchaser, either personally or as an agent or
9.28 attorney for another person or entity, of the properties offered for sale under this chapter in
9.29 the following circumstances: (1) the person or entity owns another property within the
9.30 county for which there are delinquent taxes owing; (2) the person or entity has held a rental
9.31 license in the county and the license has been revoked within the last five years; (3) the
9.32 person or entity has been the vendee of a contract for purchase of a property offered for sale
9.33 under this chapter, which contract has been canceled within the last five years; or (4) the

10.1 person or entity owns another property within the county for which there is an unresolved
 10.2 housing code violation, including an unpaid charge or fine.

10.3 (d) A person prohibited from purchasing property under this section must not directly
 10.4 or indirectly have another person purchase it on behalf of the prohibited purchaser for the
 10.5 prohibited purchaser's benefit or gain.

10.6 Sec. 14. Minnesota Statutes 2016, section 282.018, subdivision 1, is amended to read:

10.7 Subdivision 1. **Land on or adjacent to public waters.** (a) All land which is the property
 10.8 of the state as a result of forfeiture to the state for nonpayment of taxes, regardless of whether
 10.9 the land is held in trust for taxing districts, and which borders on or is adjacent to meandered
 10.10 lakes and other public waters and watercourses, and the live timber growing or being thereon,
 10.11 is hereby withdrawn from sale except as hereinafter provided. The authority having
 10.12 jurisdiction over the timber on any such lands may sell the timber as otherwise provided by
 10.13 law for cutting and removal under such conditions as the authority may prescribe in
 10.14 accordance with approved, sustained yield forestry practices. The authority having jurisdiction
 10.15 over the timber shall reserve such timber and impose such conditions as the authority deems
 10.16 necessary for the protection of watersheds, wildlife habitat, shorelines, and scenic features.
 10.17 Within the area in Cook, Lake, and St. Louis counties described in the Act of Congress
 10.18 approved July 10, 1930 (46 Stat. 1020), the timber on tax-forfeited lands shall be subject
 10.19 to like restrictions as are now imposed by that act on federal lands.

10.20 (b) Of all tax-forfeited land bordering on or adjacent to meandered lakes and other public
 10.21 waters and watercourses and so withdrawn from sale, a strip two rods in width, the ordinary
 10.22 high-water mark being the waterside boundary thereof, and the land side boundary thereof
 10.23 being a line drawn parallel to the ordinary high-water mark and two rods distant landward
 10.24 therefrom, hereby is reserved for public travel thereon, and whatever the conformation of
 10.25 the shore line or conditions require, the authority having jurisdiction over such lands shall
 10.26 reserve a wider strip for such purposes.

10.27 (c) Any tract or parcel of land which has 150 feet or less of waterfront may be sold by
 10.28 the authority having jurisdiction over the land, in the manner otherwise provided by law
 10.29 for the sale of such lands, if the authority determines that it is in the public interest to do
 10.30 so. If the authority having jurisdiction over the land is not the commissioner of natural
 10.31 resources, the land may not be offered for sale without the prior approval of the commissioner
 10.32 of natural resources.

10.33 (d) Where the authority having jurisdiction over lands withdrawn from sale under this
 10.34 section is not the commissioner of natural resources, the authority may submit proposals

11.1 for disposition of the lands to the commissioner. The commissioner of natural resources
 11.2 shall evaluate the lands and their public benefits and make recommendations on the proposed
 11.3 dispositions to the committees of the legislature with jurisdiction over natural resources.
 11.4 The commissioner shall include any recommendations of the commissioner for disposition
 11.5 of lands withdrawn from sale under this section over which the commissioner has jurisdiction.
 11.6 The commissioner's recommendations may include a public sale, sale to a private party,
 11.7 acquisition by the Department of Natural Resources for public purposes, or a cooperative
 11.8 management agreement with, or transfer to, another unit of government.

11.9 (e) Notwithstanding this subdivision, a county may sell property governed by this section
 11.10 upon written authorization from the commissioner of natural resources. Prior to the sale or
 11.11 conveyance of lands under this subdivision, the county board must give notice of its intent
 11.12 to meet for that purpose as provided in section 282.01, subdivision 1.

11.13 Sec. 15. Minnesota Statutes 2016, section 282.02, is amended to read:

11.14 **282.02 LIST OF LANDS FOR SALE; NOTICE; ONLINE AUCTIONS**
 11.15 **PERMITTED.**

11.16 (a) Immediately after classification and appraisal of the land, and after approval by the
 11.17 commissioner of natural resources when required pursuant to section 282.01, subdivision
 11.18 3, the county board shall provide and file with the county auditor a list of parcels of land to
 11.19 be offered for sale. This list shall contain a description of the parcels of land and the appraised
 11.20 value thereof. The auditor shall publish a notice of the intended public sale of such parcels
 11.21 of land and a copy of the resolution of the county board fixing the terms of the sale, if other
 11.22 than for cash only, by publication once a week for two weeks in the official newspaper of
 11.23 the county, the last publication to be not less than ten days previous to the commencement
 11.24 of the sale.

11.25 (b) The notice shall include the parcel's description and appraised value. The notice shall
 11.26 also indicate the amount of any special assessments which may be the subject of a
 11.27 reassessment or new assessment or which may result in the imposition of a fee or charge
 11.28 pursuant to sections 429.071, subdivision 4, 435.23, and 444.076. The county auditor shall
 11.29 also mail notice to the owners of land adjoining the parcel to be sold. For purposes of this
 11.30 section, "owner" means the taxpayer as listed in the records of the county auditor.

11.31 (c) If the county board of ~~St. Louis or Koochiing Counties~~ determines that the sale
 11.32 shall take place in a county facility other than the courthouse, the notice shall specify the
 11.33 facility and its location. If the county board determines that the sale shall take place as an

12.1 online auction under section 282.01, subdivision 13, the notice shall specify the auction
 12.2 Web site and the date of the auction.

12.3 **EFFECTIVE DATE.** This section is effective for sales of tax-forfeited property that
 12.4 occur on or after August 1, 2017.

12.5 Sec. 16. Minnesota Statutes 2016, section 282.241, subdivision 1, is amended to read:

12.6 Subdivision 1. **Repurchase requirements.** The owner at the time of forfeiture, or the
 12.7 owner's heirs, devisees, or representatives, or any person to whom the right to pay taxes
 12.8 was given by statute, mortgage, or other agreement, may repurchase any parcel of land
 12.9 claimed by the state to be forfeited to the state for taxes unless before the time repurchase
 12.10 is made the parcel is sold under installment payments, or otherwise, by the state as provided
 12.11 by law, or is under mineral prospecting permit or lease, or proceedings have been commenced
 12.12 by the state or any of its political subdivisions or by the United States to condemn the parcel
 12.13 of land. The parcel of land may be repurchased for the sum of all delinquent taxes and
 12.14 assessments computed under section 282.251, together with penalties, interest, and costs,
 12.15 that accrued or would have accrued if the parcel of land had not forfeited to the state. Except
 12.16 for property which was homesteaded on the date of forfeiture, repurchase is permitted during
 12.17 ~~one year~~ six months only from the date of forfeiture, and in any case only after the adoption
 12.18 of a resolution by the board of county commissioners determining that by repurchase undue
 12.19 hardship or injustice resulting from the forfeiture will be corrected, or that permitting the
 12.20 repurchase will promote the use of the lands that will best serve the public interest. If the
 12.21 county board has good cause to believe that a repurchase installment payment plan for a
 12.22 particular parcel is unnecessary and not in the public interest, the county board may require
 12.23 as a condition of repurchase that the entire repurchase price be paid at the time of repurchase.
 12.24 A repurchase is subject to any easement, lease, or other encumbrance granted by the state
 12.25 before the repurchase, and if the land is located within a restricted area established by any
 12.26 county under Laws 1939, chapter 340, the repurchase must not be permitted unless the
 12.27 resolution approving the repurchase is adopted by the unanimous vote of the board of county
 12.28 commissioners.

12.29 The person seeking to repurchase under this section shall pay all maintenance costs
 12.30 incurred by the county auditor during the time the property was tax-forfeited.

12.31 **EFFECTIVE DATE.** This section is effective January 1, 2018.

12.32 Sec. 17. Minnesota Statutes 2016, section 282.322, is amended to read:

12.33 **282.322 FORFEITED LANDS LIST.**

13.1 The county board of any county may file a list of forfeited lands with the county auditor,
 13.2 if the board is of the opinion that such lands may be acquired by the state or any municipal
 13.3 subdivision ~~thereof~~ of the state for public purposes. Upon the filing of ~~such~~ the list of
 13.4 forfeited lands, the county auditor shall withhold said lands from repurchase. If no proceeding
 13.5 ~~shall be~~ is started to acquire such lands by the state or some municipal subdivision ~~thereof~~
 13.6 of the state within one year after the filing of ~~such~~ the list of forfeited lands, the county
 13.7 board shall withdraw ~~said~~ the list and thereafter, if the property was classified as
 13.8 nonhomestead at the time of forfeiture, the owner shall have ~~one year~~ not more than six
 13.9 months in which to repurchase.

13.10 **EFFECTIVE DATE.** This section is effective January 1, 2018.

13.11 Sec. 18. Minnesota Statutes 2016, section 504B.285, subdivision 1, is amended to read:

13.12 Subdivision 1. **Grounds.** (a) The person entitled to the premises may recover possession
 13.13 by eviction when:

13.14 (1) any person holds over real property:

13.15 (i) after a sale of the property on an execution or judgment; ~~or~~

13.16 (ii) after the expiration of the time for redemption on foreclosure of a mortgage, or after
 13.17 termination of contract to convey the property; or

13.18 (iii) after the expiration of the time for redemption on a real estate tax judgment sale;

13.19 (2) any person holds over real property after termination of the time for which it is
 13.20 demised or leased to that person or to the persons under whom that person holds possession,
 13.21 contrary to the conditions or covenants of the lease or agreement under which that person
 13.22 holds, or after any rent becomes due according to the terms of such lease or agreement; or

13.23 (3) any tenant at will holds over after the termination of the tenancy by notice to quit.

13.24 (b) A landlord may not commence an eviction action against a tenant or authorized
 13.25 occupant solely on the basis that the tenant or authorized occupant has been the victim of
 13.26 any of the acts listed in section 504B.206, subdivision 1, paragraph (a). Nothing in this
 13.27 paragraph should be construed to prohibit an eviction action based on a breach of the lease.

13.28 Sec. 19. Minnesota Statutes 2016, section 504B.365, subdivision 3, is amended to read:

13.29 Subd. 3. **Removal and storage of property.** (a) If the defendant's personal property is
 13.30 to be stored in a place other than the premises, the officer shall remove all personal property
 13.31 of the defendant at the expense of the plaintiff.

14.1 (b) The defendant must make immediate payment for all expenses of removing personal
14.2 property from the premises. If the defendant fails or refuses to do so, the plaintiff has a lien
14.3 on all the personal property for the reasonable costs and expenses incurred in removing,
14.4 caring for, storing, and transporting it to a suitable storage place.

14.5 (c) The plaintiff may enforce the lien by detaining the personal property until paid. If
14.6 no payment has been made for 60 days after the execution of the order to vacate, the plaintiff
14.7 may dispose of the property or hold a public sale as provided in sections 514.18 to 514.22.

14.8 (d) If the defendant's personal property is to be stored on the premises, the officer shall
14.9 enter the premises, breaking in if necessary, and the plaintiff may remove the defendant's
14.10 personal property. Section 504B.271 applies to personal property removed under this
14.11 paragraph. The plaintiff must prepare an inventory and mail a copy of the inventory to the
14.12 defendant's last known address or, if the defendant has provided a different address, to the
14.13 address provided. The inventory must be prepared, signed, and dated in the presence of the
14.14 officer and must include the following:

14.15 (1) a list of the items of personal property and a description of their condition;

14.16 (2) the date, the signature of the plaintiff or the plaintiff's agent, and the name and
14.17 telephone number of a person authorized to release the personal property; and

14.18 (3) the name and badge number of the officer.

14.19 (e) The officer must retain a copy of the inventory.

14.20 (f) The plaintiff is responsible for the proper removal, storage, and care of the defendant's
14.21 personal property and is liable for damages for loss of or injury to it caused by the plaintiff's
14.22 failure to exercise the same care that a reasonably careful person would exercise under
14.23 similar circumstances.

14.24 (g) The plaintiff shall notify the defendant of the date and approximate time the officer
14.25 is scheduled to remove the defendant, family, and personal property from the premises. The
14.26 notice must be sent by first class mail. In addition, the plaintiff must make a good faith
14.27 effort to notify the defendant by telephone. The notice must be mailed as soon as the
14.28 information regarding the date and approximate time the officer is scheduled to enforce the
14.29 order is known to the plaintiff, except that the scheduling of the officer to enforce the order
14.30 need not be delayed because of the notice requirement. The notice must inform the defendant
14.31 that the defendant and the defendant's personal property will be removed from the premises
14.32 if the defendant has not vacated the premises by the time specified in the notice.

15.1 Sec. 20. **REPEALER.**

15.2 Minnesota Statutes 2016, section 281.22, is repealed.

281.22 COUNTY AUDITOR TO GIVE NOTICE.

In case any parcel of land bid in for the state at any tax judgment sale heretofore held has not been sold or assigned to an actual purchaser by one year before the expiration of the stated period of redemption of such parcel, it shall be the duty of the county auditor thereupon forthwith to give notice of expiration of the time for redemption of such parcel, as herein provided. Such notice shall be given and all other things done with respect to all such parcels, as provided by section 281.23, except that the notice shall state that the time for redemption will expire one year after service of notice and the filing of proof thereof, instead of 60 days. Otherwise, all the provisions of section 281.23 shall apply to and govern the corresponding matters under this section.

The time for redemption of any parcel of land as to which notice of expiration has been given, as provided in this section, shall expire one year after the giving of such notice and the filing of proof thereof in the office of the county auditor, unless such parcel shall theretofore be assigned to an actual purchaser, as herein provided.