

1.1 ..... moves to amend H.F. No. 132 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 COMMUNITY REPAIR PANEL

1.5 Section 1. PURPOSE; EMERGENCY ASSISTANCE FOR DAMAGE DUE TO  
1.6 CIVIL UNREST.

1.7 Subdivision 1. Legislative findings. (a) The legislature recognizes the civil unrest that  
1.8 occurred in Minnesota in May and June of 2020. While the immediate cause of the unrest  
1.9 was the apparent murder of George Floyd by an officer of the Minneapolis Police  
1.10 Department, it was compounded by other long-standing structural systems of inequality  
1.11 and racism within the city, state, and nation. The legislature finds that the resulting protests  
1.12 and acts of civil disobedience were largely a peaceful exercise of first amendment rights:  
1.13 a genuine expression of grief at the death of Mr. Floyd and frustration and anger at the lack  
1.14 of an adequate mechanism for communities long unheard or ignored by public institutions  
1.15 to have their voices heard and meaningful action be taken as a result.

1.16 (b) The legislature further recognizes that some acts of protest and civil disobedience,  
1.17 occurring among a small minority of participants, led to severe destruction or damage to  
1.18 small businesses and other private property in Minneapolis, St. Paul, and other areas of the  
1.19 state. In many cases, the damage and destruction impacted businesses and locations owned,  
1.20 managed, or frequented by those communities that the acts of protest and civil disobedience  
1.21 were intended to uplift. The physical and psychological toll from this devastation is immense  
1.22 and touches all Minnesotans.

1.23 Subd. 2. Intent of award process. The award process established by this act is intended  
1.24 to provide a onetime disaster assistance payment so that persons economically impacted by

2.1 the civil unrest are able to cover losses that are not eligible for compensation through  
2.2 insurance policies. It furthers the public interest by ensuring affected communities have  
2.3 access to immediate resources that allow them to regroup and rebuild, while minimizing  
2.4 the uncertainty and expense of navigating complex and protracted administrative procedures  
2.5 to seek relief.

2.6 Sec. 2. **DEFINITIONS.**

2.7 Subdivision 1. **Application.** The definitions in this section apply to this act.

2.8 Subd. 2. **Damage.** "Damage" means the following types of damage which are reasonably  
2.9 the result of the civil unrest that occurred during the period of May 25, 2020, to June 8,  
2.10 2020:

2.11 (1) physical damage to structures or personal property located within an eligible zone;  
2.12 and

2.13 (2) economic damage impacting an organization's or business's operations within an  
2.14 eligible zone including but not limited to a lost inventory, and lost wages or benefits of  
2.15 employees.

2.16 Damage does not include the loss of future expected earnings, attorney fees, or other fees  
2.17 incurred by an eligible person in applying for an award under this act.

2.18 Subd. 3. **Eligible person.** (a) "Eligible person" means:

2.19 (1) a nonprofit organization or a for-profit business located in an eligible zone;

2.20 (2) an employee of a nonprofit organization or for-profit business whose regular work  
2.21 assignment is located in an eligible zone;

2.22 (3) an individual who owns real property within an eligible zone; or

2.23 (4) an individual who resides in an eligible zone.

2.24 (b) A for-profit business is not an eligible person if it employs more than the equivalent  
2.25 of 50 full-time employees. This limitation does not restrict the eligibility of individual  
2.26 employees of the business to file a claim.

2.27 Subd. 4. **Eligible zone.** "Eligible zone" means:

2.28 (1) in Minneapolis:

2.29 (i) Lake Street between Hennepin Avenue and West River Parkway, and any area within  
2.30 two city blocks of that portion of Lake Street in any direction; and

3.1 (ii) West Broadway Avenue, and any area within two city blocks of West Broadway  
3.2 Avenue in any direction;

3.3 (2) in Saint Paul, University Avenue between Rice Street and Highway 280, and any  
3.4 area within two city blocks of that portion of University Avenue in any direction; and

3.5 (3) any additional locations or zones designated by the governor as experiencing  
3.6 significant, widespread damage or destruction of private property due to the civil unrest  
3.7 described in section 1.

3.8 Subd. 5. **Award.** "Award" means a onetime payment of money to an eligible person in  
3.9 response to a properly submitted claim for disaster assistance under this act. An award is  
3.10 not a grant for purposes of Minnesota Statutes, sections 16B.97 to 16B.991, or other  
3.11 applicable law or rules governing grant administration, and does not constitute a payment  
3.12 from a public benefit program for purposes of any applicable federal or state law.

3.13 Subd. 6. **Panel.** "Panel" means the community repair panel established in this act.

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

3.15 Sec. 3. **COMMUNITY REPAIR PANEL.**

3.16 Subdivision 1. **Appointment.** (a) The governor shall establish a community repair panel  
3.17 to consider claims and determine awards for disaster assistance to eligible persons on behalf  
3.18 of the state. The panel must be established by July 1, 2020. The panel must consist of at  
3.19 least three and not more than nine attorneys appointed by the governor. In making  
3.20 appointments, the governor must consult with members of the legislature whose districts  
3.21 include an eligible zone and ensure that the appointees are knowledgeable and representative  
3.22 of the impacted communities. Members of the panel must have experience in legal and  
3.23 business issues involving the calculation and determination of damages in a judicial setting.  
3.24 The governor shall designate one member of the panel to serve as chair.

3.25 (b) Within available appropriations, the commissioner of management and budget shall  
3.26 determine the pay and expenses to be received by the panel. A member's total pay, not  
3.27 including expenses, may not exceed \$25,000. The chair of the panel shall forward  
3.28 documentation of salaries, expenses, and administrative costs incurred to the commissioner  
3.29 of management and budget for payment of those amounts.

3.30 Subd. 2. **Staff; community outreach.** (a) The commissioner of management and budget,  
3.31 in consultation with the panel, may hire employees or retain consultants necessary to assist  
3.32 the panel in performing its duties under this section. Employees are in the unclassified state

4.1 civil service. The panel may also use consultants who are under a contract with the state or  
4.2 current state employees to assist the panel in processing claims under this section.

4.3 (b) The panel must engage one or more nonprofit organizations with a primary mission  
4.4 to serve communities located within each eligible zone to assist the panel in publicizing the  
4.5 award opportunity provided by this act, and to provide technical assistance to applicants in  
4.6 submitting a claim.

4.7 Subd. 3. **General duties; procedure.** The panel shall consider claims for damages and  
4.8 determine award amounts as authorized by this section. The panel may adopt and modify  
4.9 procedures, rules, and forms for receiving and considering claims, provided that the panel  
4.10 must allow each eligible person who submits a claim to appear electronically or in person  
4.11 before the panel or one of its members to describe the claim and respond to questions.  
4.12 Procedures and rules of the panel are not rules for purposes of Minnesota Statutes, chapter  
4.13 14, and Minnesota Statutes, section 14.386 does not apply.

4.14 Subd. 4. **Deadlines.** To be eligible to receive an award, an eligible person must file a  
4.15 claim with the panel by September 1, 2020. On a case-by-case basis, the panel may accept  
4.16 claims that are received after this deadline. The panel must make an award determination  
4.17 for each claim no later than March 1, 2021.

4.18 Subd. 5. **Calculation of award amount.** (a) The panel shall determine a base award for  
4.19 each eligible person that reflects the total damages incurred as described in the claim.  
4.20 Damage that qualifies for compensation through an applicable insurance policy must be  
4.21 excluded from the base award. After a base award is established, the panel may provide an  
4.22 equity adjustment to increase or decrease the award, based on a review of the totality of the  
4.23 eligible person's circumstances. Before any claim is reviewed for an award determination,  
4.24 the panel must establish a reasonable maximum award amount that applies equally to all  
4.25 eligible persons.

4.26 (b) The panel may not make an award determination for any eligible person until all  
4.27 claims filed prior to the deadline established in subdivision 4 have been considered. Claims  
4.28 arriving after the deadline may only be considered for an award after all awards for timely  
4.29 claim filings have been determined.

4.30 (c) If the total amount of awards determined for all eligible persons exceeds the available  
4.31 appropriation, the panel must make awards on a pro rata basis.

4.32 (d) The panel must not consider negligence or any other theory of liability on the part  
4.33 of the eligible person or any other party in making an award determination.

5.1 Subd. 6. **Payment.** The panel shall promptly forward to the commissioner of management  
5.2 and budget documentation of each award amount determined under this section. The  
5.3 commissioner of management and budget shall pay that amount to the eligible person within  
5.4 30 days after receiving the documentation and in the order in which the documentation from  
5.5 the panel was received.

5.6 Subd. 7. **Immunity; indemnification.** Members of the panel, employees, and consultants  
5.7 acting under the direction of the panel are employees of the state for purposes of Minnesota  
5.8 Statutes, section 3.736.

5.9 Subd. 8. **Data practices; meetings.** (a) Data collected, created, or maintained by the  
5.10 panel related to a claim filed by an eligible person are private data on individuals, as defined  
5.11 in Minnesota Statutes, section 13.02, subdivision 12, or nonpublic data, as defined in  
5.12 Minnesota Statutes, section 13.02, subdivision 9, except for:

5.13 (1) the name of an eligible person to whom an award is paid; and

5.14 (2) the amount awarded to that person.

5.15 (b) Data created by a member of the panel related to the member's service as a member  
5.16 of the panel are not discoverable in any civil or administrative proceeding except a record  
5.17 relating to any statement or conduct that may constitute a crime.

5.18 (c) Meetings of the panel are not subject to Minnesota Statutes, chapter 13D.

5.19 Subd. 9. **Effect of awards process.** (a) A determination by the panel regarding an award  
5.20 is final and not subject to judicial review.

5.21 (b) The amount of damages incurred by an eligible person as calculated by the panel,  
5.22 or the eligible person's award determination, may not be used in a subsequent court  
5.23 proceeding in evidence or otherwise to determine any rights, duties, or responsibilities of  
5.24 the state, the eligible person, or any other party.

5.25 (c) A member of the panel must not testify in any civil or administrative proceeding  
5.26 regarding any matter involving or arising out of the member's service as a member of the  
5.27 panel, except as to a statement or conduct that may constitute a crime.

5.28 Subd. 10. **Panel recommendations for future action; truth and reconciliation.** (a)  
5.29 Upon conclusion of its work making award determinations, the panel must convene to  
5.30 consider and recommend to the governor and legislature future steps that may be taken to  
5.31 provide communities impacted by racism and race-based harm an opportunity to share their  
5.32 experiences in public and private institutions, and how those experiences impact the quality  
5.33 of life of those communities in Minnesota. The panel's recommendations must be informed,

6.1 in part, by lessons learned from the claims submitted by eligible persons under this section,  
6.2 and adhere to a goal of providing an ongoing, meaningful structure to bring public attention  
6.3 to the truth of the experience of these communities. The recommendations must also suggest  
6.4 a process for engaging and reconciling those experiences with an expectation that all  
6.5 Minnesotans can live free of the harms caused by systemic and institutional racism in the  
6.6 state.

6.7 (b) A report describing the panel's work and recommendations under this subdivision  
6.8 must be submitted to the governor and to the speaker of the house, president of the senate,  
6.9 and majority and minority leaders of each body's respective political caucuses no later than  
6.10 May 1, 2021.

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

6.12 Sec. 4. **RELATIONSHIP TO OTHER LAW.**

6.13 Subdivision 1. **No state liability or duty created.** The establishment of the award process  
6.14 in this act is not an admission of liability by the state or a municipality or their employees  
6.15 and does not establish a duty of the state, a municipality, or their employees to compensate  
6.16 eligible persons for damage. The creation and funding of the compensation process under  
6.17 this act is not admissible in a judicial or administrative proceeding to establish liability or  
6.18 a legal duty.

6.19 Subd. 2. **Payments as additional compensation.** Payments made under this section are  
6.20 intended to supplement and be in addition to any payments required to be made by a third  
6.21 party under law or contract.

6.22 Subd. 3. **Payments from other sources.** (a) Notwithstanding any statutory or common  
6.23 law or agreement to the contrary, a person who is not a third-party tortfeasor and who is  
6.24 required to make payments to an eligible person may not eliminate or reduce those payments  
6.25 as a result of compensation paid under this act. The obligation of any person other than the  
6.26 state to make payments to an eligible person is primary as compared to any payment made  
6.27 or to be made under this act. The persons referenced in and covered by this subdivision  
6.28 include, without limitation:

6.29 (1) reparation obligors, as defined in Minnesota Statutes, section 65B.43, subdivision  
6.30 9, whether they are insurers or self-insurers;

6.31 (2) health plan companies, as defined in Minnesota Statutes, section 62Q.01, subdivision  
6.32 4;

- 7.1 (3) insurance companies, as defined in Minnesota Statutes, section 60A.02, subdivision  
7.2 4;
- 7.3 (4) self-insured pools of political subdivisions organized under Minnesota Statutes,  
7.4 section 471.617 or 471.981, including service cooperatives pools organized under Minnesota  
7.5 Statutes, section 123A.21;
- 7.6 (5) risk retention groups, as defined in Minnesota Statutes, section 60E.02, subdivision  
7.7 12;
- 7.8 (6) joint self-insurance plans governed by Minnesota Statutes, chapter 60F;
- 7.9 (7) joint self-insurance plans and multiple-employer welfare arrangements, governed  
7.10 by Minnesota Statutes, chapter 62H, including agricultural cooperative health plans under  
7.11 Minnesota Statutes, section 62H.18;
- 7.12 (8) workers' compensation insurers and private self-insurers, as defined in Minnesota  
7.13 Statutes, section 79.01;
- 7.14 (9) the Minnesota Life and Health Insurance Guaranty Association governed by  
7.15 Minnesota Statutes, chapter 61B;
- 7.16 (10) the Minnesota Insurance Guaranty Association governed by Minnesota Statutes,  
7.17 chapter 60C;
- 7.18 (11) the Minnesota Joint Underwriting Association governed by Minnesota Statutes,  
7.19 chapter 62I;
- 7.20 (12) all insurers providing credit life, credit accident and health, and credit involuntary  
7.21 unemployment insurance under Minnesota Statutes, chapter 62B, but also including those  
7.22 coverages written in connection with real estate mortgage loans and those provided to  
7.23 borrowers at no additional cost;
- 7.24 (13) the Minnesota unemployment insurance program provided under Minnesota Statutes,  
7.25 chapter 268;
- 7.26 (14) coverage offered by the state under medical assistance and MinnesotaCare; and
- 7.27 (15) any other plan providing health, life, disability income, or long-term care coverage.
- 7.28 (b) A third-party tortfeasor who is required to make payments, including future payments,  
7.29 to an eligible person may not eliminate or reduce those payments as a result of compensation  
7.30 paid to an eligible person under this act.

8.1 Subd. 4. **Qualification for public assistance programs.** Payments made to eligible  
8.2 persons under this act shall not be counted as income, assets, or resources for purposes of  
8.3 determining eligibility for health care, income maintenance, and assistance programs under  
8.4 Minnesota Statutes, chapters 119B, 256B, 256D, 256I, 256J, 256L, and 256S, for eligible  
8.5 persons and their households. The commissioner of human services shall seek any federal  
8.6 approvals necessary to exclude payments made to eligible persons when determining  
8.7 eligibility for a program that receives federal funding or a federal match, in order to continue  
8.8 to receive that federal funding or federal match for services provided to eligible persons  
8.9 and their households. Until and unless federal approval to exclude payments to eligible  
8.10 persons when determining eligibility for a specific federal program is obtained, the  
8.11 commissioner shall provide health coverage or income or other assistance under that program  
8.12 using state-only dollars, to eligible persons and their households who otherwise meet program  
8.13 eligibility requirements.

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

8.15 **Sec. 5. APPROPRIATIONS.**

8.16 Subdivision 1. **Compensation to eligible persons.** \$125,000,000 in fiscal year 2021 is  
8.17 appropriated from the general fund to the commissioner of management and budget for the  
8.18 purpose of making awards to eligible persons as authorized by this act. This is a onetime  
8.19 appropriation.

8.20 Subd. 2. **Administrative expenses.** \$5,000,000 in fiscal year 2021 is appropriated from  
8.21 the general fund to the commissioner of management and budget to pay salaries, expenses,  
8.22 and administrative costs of the community repair panel, including any costs associated with  
8.23 consultants or other staff, necessary to make award determinations under this act. This is a  
8.24 onetime appropriation.

8.25 Subd. 3. **Report.** No later than April 15, 2021, the commissioner of management and  
8.26 budget must submit a report to the chairs and ranking minority members of the legislative  
8.27 committees with jurisdiction over finance and ways and means on the expenditure of funds  
8.28 appropriated under this section. The report must list the amount of compensation paid to  
8.29 each eligible person and must detail any administrative expenses incurred by the special  
8.30 master in conducting its work.

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

9.1 **ARTICLE 2**

9.2 **REBUILDING GENERAL DEVELOPMENT PROGRAMS**

9.3 Section 1. **CIVIL UNREST IMMEDIATE RELIEF PROGRAM.**

9.4 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
9.5 the meanings given.

9.6 (b) "Commissioner" means the commissioner of employment and economic development.

9.7 (c) "Community organization" means an organization that has the experience and capacity  
9.8 to make grants and loans to entities under this section, including providing outreach to  
9.9 affected populations and technical assistance to applicants. The cities of Minneapolis and  
9.10 Saint Paul qualify as community organizations under this section.

9.11 (d) "Entity" includes any business or nonprofit organization. This includes businesses,  
9.12 cooperatives, utilities, industrial, commercial, retail, and nonprofit organizations.

9.13 Subd. 2. **Establishment.** The commissioner shall establish a program to make grants to  
9.14 community organizations to develop and implement local economic relief programs designed  
9.15 with the primary goal of assisting areas adversely affected by civil unrest during the  
9.16 peacetime emergency declared in governor's Executive Order No. 20-64 by preserving  
9.17 incumbent entities and encouraging new entities to locate in those areas. To this end, local  
9.18 programs should include outreach to cultural communities, support for microenterprises,  
9.19 and preferences for entities that were already under stress from the COVID-19 peacetime  
9.20 emergency.

9.21 Subd. 3. **Available relief.** (a) The local programs established by community organizations  
9.22 under this section may include grants or loans as provided in this section. Prior to awarding  
9.23 a grant to a community organization for a local program under this section:

9.24 (1) the community organization must develop criteria, procedures, and requirements  
9.25 for:

9.26 (i) determining eligibility for assistance;

9.27 (ii) the duration, terms, underwriting and security requirements, and repayment  
9.28 requirements for loans;

9.29 (iii) evaluating applications for assistance;

9.30 (iv) awarding assistance; and

9.31 (v) administering the grant and loan programs authorized under this section;

10.1 (2) the community organization must submit its criteria, procedures, and requirements  
10.2 developed pursuant to clause (1) to the commissioner of employment and economic  
10.3 development for review; and

10.4 (3) the commissioner must approve the criteria, procedures, and requirements as  
10.5 developed pursuant to clause (1) to be used by a community organization in determining  
10.6 eligibility for assistance, evaluating, awarding, and administering a grant and loan program.

10.7 (b) The relief authorized under this section includes:

10.8 (1) grants to entities. These grants are not to exceed \$250,000 per entity. Grants may be  
10.9 awarded to applicants only when a community organization determines that a loan is not  
10.10 appropriate to address the needs of the applicant; and

10.11 (2) loans to entities, with or without interest, and deferred or forgivable loans. The  
10.12 maximum loan amount under this subdivision is \$500,000 per entity. The lending criteria  
10.13 adopted by a community organization for loans under this subdivision must:

10.14 (i) specify that an entity receiving a deferred or forgivable loan must remain in the local  
10.15 community a minimum of three years after the date of the loan. The maximum loan deferral  
10.16 period must not exceed three years from the date the loan is approved; and

10.17 (ii) require submission of a plan for continued operation. The plan must document the  
10.18 probable success of the applicant's plan and probable success in repaying the loan according  
10.19 to the terms established for the loan program.

10.20 (c) All loan repayment funds under this subdivision must be paid to the commissioner  
10.21 of employment and economic development for deposit in the general fund.

10.22 Subd. 4. **Monitoring and reporting.** (a) Participating community organizations must  
10.23 establish performance measures that include but are not limited to the following components:

10.24 (1) the number of loans approved and the amounts and terms of the loans;

10.25 (2) the number of grants awarded, award amounts, and the reason that a grant award  
10.26 was made in lieu of a loan;

10.27 (3) the loan default rate;

10.28 (4) the number of jobs created or retained as a result of the assistance, including  
10.29 information on the wages and benefit levels, the status of the jobs as full-time or part-time,  
10.30 and the status of the jobs as temporary or permanent;

10.31 (5) the amount of business activity and changes in gross revenues of the grant or loan  
10.32 recipient as a result of the assistance; and

11.1 (6) the new tax revenue generated as a result of the assistance.

11.2 (b) The commissioner of employment and economic development must monitor the  
11.3 participating community organizations' compliance with this section and the performance  
11.4 measures developed under paragraph (a).

11.5 (c) Participating community organizations must comply with all requests made by the  
11.6 commissioner under this section.

11.7 (d) By December 15 of each year the program is in existence, participating community  
11.8 organizations must report their performance measures to the commissioner. By January 15  
11.9 of each year the program is in existence, after the first, the commissioner must submit a  
11.10 report of these performance measures to the chairs and ranking minority members of the  
11.11 committees of the house of representatives and the senate having jurisdiction over economic  
11.12 development that details the use of funds under this section.

11.13 Subd. 5. **Business subsidy requirements.** Minnesota Statutes, sections 116J.993 to  
11.14 116J.995, do not apply to assistance under this section. Entities in receipt of assistance under  
11.15 this section must provide for job creation and retention goals and wage and benefit goals.

11.16 Subd. 6. **Administrative costs.** The commissioner of employment and economic  
11.17 development may use up to four percent of the appropriation made for this section for  
11.18 administrative expenses of the department or for assisting participating community  
11.19 organizations with their administrative expenses.

11.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
11.21 expires the day after the last loan is repaid or forgiven as provided under this section.

11.22 Sec. 2. **CIVIL UNREST IMMEDIATE RELIEF PROGRAM.**

11.23 \$167,570,000 in fiscal year 2020 is appropriated from the general fund to the  
11.24 commissioner of employment and economic development for the civil unrest immediate  
11.25 relief program. Of this amount, \$17,500,000 is for a grant to the city of Minneapolis and  
11.26 \$17,500,000 is for a grant to the city of Saint Paul. Of the amount granted to the city of  
11.27 Minneapolis, \$5,000,000 is for the city to acquire and hold property, either directly or  
11.28 through an appropriate entity, in the area of the Lake Street business corridor to prevent  
11.29 displacement, retain existing businesses, and maintain the character of the community. Of  
11.30 the amount granted to the city of Saint Paul, \$5,000,000 is for the city to acquire and hold  
11.31 property, either directly or through an appropriate entity, in affected areas to prevent  
11.32 displacement, retain existing businesses, and maintain the character of the community. This  
11.33 is a onetime appropriation and is available until June 30, 2021.

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

12.2 **ARTICLE 3**

12.3 **METROPOLITAN AREA REDEVELOPMENT CORPORATION**

12.4 Section 1. **[473K.01] DEFINITIONS.**

12.5 Subdivision 1. **Application.** For the purposes of this chapter, the terms defined in this  
12.6 section have the meanings given them.

12.7 Subd. 2. **Board.** "Board" means the governing body of the corporation or Metropolitan  
12.8 Area Redevelopment Corporation established in section 473K.03.

12.9 Subd. 3. **Bonds.** "Bonds" means obligations as defined in section 475.51, subdivision  
12.10 3.

12.11 Subd. 4. **City.** "City" means a statutory or home rule charter city in the metropolitan  
12.12 area. Until December 31, 2025, "city" means only the cities included in Executive Order  
12.13 No. 20-64. Thereafter, "city" includes any city in the metropolitan area.

12.14 Subd. 5. **Metropolitan area.** "Metropolitan area" means the counties of Anoka, Carver,  
12.15 Dakota, Hennepin, Ramsey, Scott, and Washington.

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

12.17 Sec. 2. **[473K.03] METROPOLITAN AREA REDEVELOPMENT CORPORATION.**

12.18 Subdivision 1. **Findings; creation; purpose.** The legislature finds that the adverse  
12.19 impacts of past and ongoing racial discrimination in the metropolitan area in all areas of  
12.20 life, including economic and small business development, health, education, and housing  
12.21 requires creation of a public entity that is led by people of color and indigenous people to  
12.22 bring specific, personal knowledge and experience to the work of addressing the adverse  
12.23 impacts. The Metropolitan Area Redevelopment Corporation is established as a public  
12.24 corporation and political subdivision of the state with jurisdiction in the metropolitan area.  
12.25 The corporation shall identify and address the adverse impacts of racial discrimination in  
12.26 the metropolitan area by facilitating access by people of color and indigenous persons to  
12.27 resources for development of health care facilities and services, small businesses, safe and  
12.28 affordable housing, and other benefits of society that have historically been unavailable to  
12.29 them due to systemic barriers. The corporation shall foster equitable economic development  
12.30 to prevent gentrification and displacement of low-income residents, homes, and small  
12.31 businesses owned by people of color and indigenous people. The corporation shall foster

13.1 enterprise development and wealth creation in communities adversely affected by racial  
13.2 discrimination and poverty.

13.3 Subd. 2. **Membership; qualifications; appointment.** (a) The board of the corporation  
13.4 consists of nine members appointed by the Executive Council. Until appointments made  
13.5 after December 31, 2025, each member appointed must live in an area of a city that was  
13.6 affected by the civil unrest between May 26, 2020, and June 10, 2020. For appointments  
13.7 made after December 31, 2025, a member may be from any part of the metropolitan area.

13.8 (b) Each appointee must be a person of color or an Indigenous person. At least five  
13.9 members must have an interest in and knowledge of the needs of the areas affected by the  
13.10 civil unrest. At least four members must have experience with or knowledge of public health,  
13.11 economic development, urban redevelopment, nonprofit finance, and community  
13.12 empowerment. The appointing authority is encouraged to also consider a candidate's  
13.13 experience as a leader in community-based organizations working on economic development.

13.14 Subd. 3. **Chair; other officers.** The chair of the corporation shall be selected by and  
13.15 from among members of the corporation to serve a one-year term. The chair may be  
13.16 reappointed by the members.

13.17 Subd. 4. **Terms.** The initial terms of five members, determined by lot, shall end the first  
13.18 Monday in January 2024. The initial terms of four members, determined by lot, shall end  
13.19 the first Monday in January 2022. Thereafter, each member shall serve a four-year term  
13.20 and until the member's successor is appointed. A member may be reappointed.

13.21 Subd. 5. **Vacancies.** A vacancy occurs as provided in section 351.02 or upon a member's  
13.22 removal under subdivision 6. A vacancy must be filled by the appointing authority in  
13.23 subdivision 2 for the balance of the term in the same manner as a regular appointment.

13.24 Subd. 6. **Removal.** A member may be removed by the board for inefficiency, neglect  
13.25 of duty, or misconduct in office. A member may be removed only after a hearing of the  
13.26 board. A written copy of the charges must be given to the board member subject to the  
13.27 allegations in the charges at least ten days before the hearing. The board member must be  
13.28 given an opportunity to be heard in person or by counsel at the hearing. The board may  
13.29 temporarily suspend a board member if written charges are submitted against the member.  
13.30 The board must immediately reinstate the suspended board member if the board finds that  
13.31 the charges against the member are not substantiated. If a board member is removed, a  
13.32 record of the proceedings, together with the charges and findings, must be filed with the  
13.33 appointing authority in subdivision 2.

14.1 Subd. 7. **Compensation.** Members of the corporation shall be paid \$10,000 per year, at  
14.2 times and in the amounts provided in the bylaws. Members may also be reimbursed for  
14.3 reasonable expenses as provided in section 15.059, subdivision 3.

14.4 Subd. 8. **Audits.** The state auditor shall audit the finances of the corporation.

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

14.6 Sec. 3. **[473K.05] POWERS; DUTIES.**

14.7 Subdivision 1. **General authority.** The Metropolitan Area Redevelopment Corporation  
14.8 has all powers necessary or convenient to accomplish the purposes for which it is created  
14.9 and the duties assigned to it in law.

14.10 Subd. 2. **Bylaws.** The corporation shall adopt bylaws for the regulation of its affairs and  
14.11 rules of procedure for governing its actions, not inconsistent with law.

14.12 Subd. 3. **Meetings; data practices; records.** The board must meet regularly at least  
14.13 once a month. Meetings are subject to chapter 13D, the Minnesota Open Meeting Law. The  
14.14 corporation is subject to chapter 13, the Minnesota Government Data Practices Act, and the  
14.15 records retention law in section 15.17.

14.16 Subd. 4. **Executive director; staff; facilities.** (a) The corporation may hire an executive  
14.17 director. Compensation shall be determined by the board. Until the corporation has hired  
14.18 an executive director, the commissioner of employment and economic development, or the  
14.19 commissioner's designee, shall serve as executive director and facilitate hiring an executive  
14.20 director.

14.21 (b) The mayor of each city shall appoint a member of the city council or a department  
14.22 head to serve as liaison to the corporation. The liaison shall attend all meetings to the extent  
14.23 practicable, assist the board with assessing proposals, and help facilitate projects funded by  
14.24 the board.

14.25 (c) The Metropolitan Council and any state agency, upon request by the executive  
14.26 director, shall provide staff, technical and administrative assistance, and the use of facilities  
14.27 for meetings. The council and state agencies must provide the assistance within existing  
14.28 resources available to the council or state agency.

14.29 Subd. 5. **Redevelopment plans.** (a) The board shall develop both short-term and  
14.30 long-term plans for the redevelopment of the cities. The board must consult with the mayors  
14.31 and city councils, and all interested and affected parties, in the development of the plans.  
14.32 The plans must provide for maximum grant amounts, the purposes for which grants may

15.1 be used, how grantees must account for use of grant funds, how results will be determined,  
15.2 and what reports must be submitted to the corporation and the cities in which grant funds  
15.3 are spent.

15.4 (b) The redevelopment plans must:

15.5 (1) be developed by the communities using a design process that includes using art and  
15.6 culture to support and define the community;

15.7 (2) identify the expertise needed to implement long-term community redevelopment  
15.8 plans;

15.9 (3) maximize resources from multiple sources and sectors;

15.10 (4) support projects that will act as incubators for small business ownership, including  
15.11 ownership of the land and buildings in which the businesses and institutions grow; and

15.12 (5) use public investment as seed money to encourage public-private partnerships.

15.13 Subd. 6. **Grants.** (a) In addition to any other requirements in this chapter, the board shall  
15.14 develop criteria for awarding grants and provide for the equitable distribution of grant funds.  
15.15 All grants must be approved by the board before distribution.

15.16 (b) A grantee must be a nonprofit organization, organized under Internal Revenue Code,  
15.17 section 501(c)(3). The organization must be one that is led by a person of color or an  
15.18 indigenous person, and has a staff and board of which at least 51 percent are people of color  
15.19 or indigenous people.

15.20 (c) At least 40 percent of the funds available each year must be used for grants to  
15.21 organizations with annual operating budgets of less than \$500,000.

15.22 (d) A grantee must substantially complete the project funded within two years of entering  
15.23 into the grant agreement unless another time frame is specified in the grant agreement.

15.24 (e) Projects that may be funded include but are not limited to projects that:

15.25 (1) conduct community engagement processes to determine community priorities and  
15.26 develop strategies to accomplish those priorities;

15.27 (2) plan and implement commercial and economic development projects;

15.28 (3) acquire property in order to obtain site control and ensure the property is maintained  
15.29 and secured against further deterioration or incompatible development;

15.30 (4) serve as incubators for small business ownership, ownership of the land and buildings  
15.31 in which the businesses and institutions grow;

16.1 (5) develop and improve a grantee's organizational infrastructure, including developing  
16.2 database management systems, financial systems, and other administrative functions that  
16.3 increase the organization's ability to access new funding sources;

16.4 (6) improve a grantee's organization with training and skills development, planning, and  
16.5 other methods of increasing staff capacity and cultural competency; and

16.6 (7) increase the capacity of the grantee to improve other services in the community, such  
16.7 as health care and education.

16.8 (f) A grantee may partner with other existing organizations, public or private, that have  
16.9 useful specialized expertise or capacity, including but not limited to faith-based groups,  
16.10 schools, health care clinics, government agencies, or for-profit entities.

16.11 Subd. 7. **Report.** By March 1 each year, the board must submit an annual report to the  
16.12 chairs and ranking minority members of the legislative committees with jurisdiction over  
16.13 government operations, jobs and economic development, and taxes. The report must include  
16.14 aggregate and detailed information on the grants awarded, including the locations, amounts,  
16.15 uses, and any other information that the board determines would be of interest or use to the  
16.16 legislature.

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

16.18 Sec. 4. **[473K.07] FINANCING; BONDING.**

16.19 Subdivision 1. **Account.** (a) A metropolitan area redevelopment account is established  
16.20 in the special revenue fund. Money in the account, including interest, is appropriated to the  
16.21 commissioner of management and budget for transfer to the Metropolitan Area  
16.22 Redevelopment Corporation by July 1 each year.

16.23 (b) The Metropolitan Area Redevelopment Corporation must use the funds for the  
16.24 purposes of this chapter, including to make grants, pay debt service on any bonds issued  
16.25 under this section, and to pay the compensation and reasonable expenses of board members.

16.26 Subd. 2. **Bonds.** (a) The corporation may request a city, a county in the metropolitan  
16.27 area, or the Metropolitan Council to issue bonds, the proceeds of which may be used to  
16.28 make grants under this chapter. Notwithstanding any limit on debt in a home rule charter,  
16.29 ordinance, or law, a city, county, or the Metropolitan Council may issue bonds under chapter  
16.30 475 without an election in order to provide money for grants approved by the corporation.  
16.31 The bonds may be issued as general obligation sales tax revenue bonds or any other debt  
16.32 obligation form available to the city, and the issuing entity and the corporation may pledge  
16.33 the sales tax revenues to the repayment of the bonds.

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

17.2 Sec. 5. **METROPOLITAN COUNTY SALES AND USE TAX.**

17.3 Subdivision 1. **Tax imposed; rates.** Notwithstanding section 297A.99, subdivisions 1,  
17.4 2, 3, 5, 12, and 13, or any other law, a metropolitan county as defined in section 473.121,  
17.5 subdivision 4, beginning January 1, 2021, shall impose a sales and use tax at a rate of 0.125  
17.6 percent on retail sales and uses taxable under chapter 297A that are made within the imposing  
17.7 county's boundaries or delivered to a destination within the imposing county's boundaries.

17.8 Subd. 2. **Reverse referendum.** If by August 1, 2020, a petition signed by voters equal  
17.9 in number to 20 percent of the voters who voted in the county at the last state general election,  
17.10 requesting a vote on the tax imposed by this section is filed with the county auditor, a tax  
17.11 must not be imposed under this section until it has been submitted to the voters at the general  
17.12 election held on November 3, 2020, and a majority of votes cast on the question of approving  
17.13 the imposition of a tax under this section are in the affirmative. The petition submitted to  
17.14 the county auditor must meet the standards adopted by rule of the secretary of state for the  
17.15 format and content of petitions.

17.16 Subd. 3. **Administration, collection, and enforcement.** The administration, collection,  
17.17 and enforcement provisions in section 297A.99, subdivisions 4 and 6 to 12, apply to all  
17.18 taxes imposed under this section.

17.19 Subd. 4. **Allocation; account.** The commissioner of revenue must retain and deposit to  
17.20 the account created by section 473K.07, the proceeds from a tax imposed under this section  
17.21 to be used for purposes specified in chapter 473K.

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

## 17.23 **ARTICLE 4**

### 17.24 **REBUILDING INSURANCE PROVISIONS**

17.25 Section 1. **INSURANCE CLAIMS.**

17.26 Subdivision 1. **Commissioner; responsibilities.** The commissioner of commerce must  
17.27 provide assistance to the public in order to ensure the timely resolution of property, casualty,  
17.28 and liability claims for businesses affected by civil unrest during the peacetime emergency  
17.29 declared by Executive Order 20-64. The commissioner must provide assistance via telephone  
17.30 and publicly release information regarding the claims submission process. The commissioner  
17.31 must accept, review, and work to resolve complaints regarding the handling of claims related

18.1 to businesses affected by civil unrest during the peacetime emergency declared by Executive  
18.2 Order 20-64.

18.3 Subd. 2. **Insurers; responsibilities.** By January 1, 2021, an insurer that writes property,  
18.4 casualty, or liability insurance in Minnesota must submit to the commissioner of commerce  
18.5 the number of claims related to businesses affected by civil unrest during the peacetime  
18.6 emergency declared by Executive Order 20-64 that it has rejected or has yet to fulfill. The  
18.7 commissioner must review the information submitted under this subdivision for compliance  
18.8 with relevant statutes and regulations.

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

## 18.10 **ARTICLE 5**

### 18.11 **REBUILDING LEASE PROVISIONS**

18.12 Section 1. **COMMERCIAL AND RESIDENTIAL LEASE ASSISTANCE;**  
18.13 **PEACETIME EMERGENCY.**

18.14 (a) A renewed or new commercial or residential lease must not require a rental amount  
18.15 that is more than the amount of rent charged for the residential or commercial property on  
18.16 or immediately before March 1, 2020, for entities that receive or are eligible to receive state  
18.17 funding related to the civil unrest, including incumbent entities that are recipients of entity  
18.18 grants or loans through the civil unrest immediate relief program or a person eligible for an  
18.19 award determined by the emergency assistance community repair panel in areas affected  
18.20 by civil unrest during the peacetime emergency declared in Executive Order 20-64. To  
18.21 calculate the amount of rent charged prior to March 1, 2020, the landlord may use either an  
18.22 average of monthly rent charged for January, February, and March 2020, or, if rent was  
18.23 charged on an annual basis, the last annual rent paid by the residential or commercial tenant  
18.24 prior to March 1, 2020. A lessor of a commercial or residential property affected by this  
18.25 section may increase rent on April 1 of each year in an amount equal to the percentage  
18.26 provided by the commissioner of the Housing Finance Agency consistent with paragraph  
18.27 (b).

18.28 (b) By February 1 of each year, the commissioner of the Housing Finance Agency must  
18.29 determine the percentage change in the Consumer Price Index for all urban consumers  
18.30 (CPI-U) during the 12-month period ending in November of the previous year and publish  
18.31 that percentage on the Housing Finance Agency website and make that information available  
18.32 upon request.

19.1 (c) A residential tenant may file an action against a landlord under Minnesota Statutes,  
19.2 section 504B.381, and if the court finds a violation of this section has occurred, the court  
19.3 must order equitable and monetary damages, if any, to the tenant. A residential tenant has  
19.4 an affirmative defense to an action brought under Minnesota Statutes, section 504B.285 or  
19.5 504B.291, if the landlord for the residential property has violated this section. In a tenant  
19.6 action to enforce this section under Minnesota Statutes, section 504B.381, or in an action  
19.7 brought by a commercial lessee to enforce this section, the court shall award a prevailing  
19.8 commercial or residential tenant reasonable attorney fees and costs.

19.9 **EFFECTIVE DATE.** This section is effective July 1, 2020, and applies to leases signed  
19.10 or renewed on or after that date, and expires April 1, 2024.

## 19.11 **ARTICLE 6**

### 19.12 **REDEVELOPMENT TOOLS**

19.13 Section 1. **LIMITED USE OF EMINENT DOMAIN.**

19.14 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
19.15 the meanings given them.

19.16 (b) "City" means the cities included in Executive Order 20-64.

19.17 (c) "Events" mean the civil unrest that resulted in damaged property in the cities between  
19.18 May 26, 2020, and June 10, 2020, that are the subject of Emergency Executive Order 20-64.

19.19 (d) "Eligible zone" means:

19.20 (1) in Minneapolis:

19.21 (i) Lake Street between Hennepin Avenue and West River Parkway, and any area within  
19.22 two city blocks of that portion of Lake Street in any direction; and

19.23 (ii) West Broadway Avenue, and any area within two city blocks of West Broadway  
19.24 Avenue in any direction;

19.25 (2) in Saint Paul, University Avenue between Rice Street and Highway 280, and any  
19.26 area within two city blocks of that portion of University Avenue in any direction; and

19.27 (3) any additional locations or zones designated by the governor as experiencing  
19.28 significant, widespread damage or destruction of private property due to the civil unrest  
19.29 described in Emergency Executive Order No. 20-64.

20.1 (e) "Property owner" includes all persons with any interest in the property subject to a  
20.2 taking, whether as proprietors, tenants, life estate holders, encumbrancers, beneficial interest  
20.3 holders, or otherwise.

20.4 Subd. 2. **Authority.** Notwithstanding any home rule charter provision, city ordinance,  
20.5 or Minnesota Statutes, section 117.025, subdivision 11, paragraph (b), a city may use eminent  
20.6 domain to acquire real property or interests in real property for the purposes of this section.

20.7 Subd. 3. **Public purpose.** It is a public purpose for a city to use the power of eminent  
20.8 domain to acquire real property or an interest in real property in an eligible zone, and then  
20.9 resell the property subject to redevelopment agreements in order to support the ability of  
20.10 the businesses and uses directly and adversely affected by the events to be reestablished  
20.11 consistent with the needs of the neighborhoods and property owners.

20.12 Subd. 4. **Debt financing.** For the purposes of this section, the city may issue obligations  
20.13 under Minnesota Statutes, chapter 475, without an election, and not subject to debt limitations  
20.14 in the home rule charter or in statute.

20.15 Subd. 5. **Resale of property acquired by eminent domain.** Any property acquired by  
20.16 the city by eminent domain under this section may be sold to private parties, subject to the  
20.17 redevelopment agreement. The redevelopment agreement must include reasonable limitations  
20.18 on the use of the property and must be approved by a redevelopment oversight committee  
20.19 established by the city.

20.20 Subd. 6. **Effective date; expiration.** This section is effective the day following final  
20.21 enactment and expires December 31, 2022.

## 20.22 **ARTICLE 7**

### 20.23 **TAX PROVISIONS FOR AFFECTED PROPERTIES**

20.24 Section 1. Minnesota Statutes 2018, section 297A.71, is amended by adding a subdivision  
20.25 to read:

20.26 Subd. 53. **Properties destroyed or damaged during protests and unrest in May and**  
20.27 **June of 2020.** (a) The sale and purchase of the following items are exempt if the items are  
20.28 used to repair, replace, clean, or otherwise recover from real and personal property damage  
20.29 and destruction after May 24, 2020, and before June 16, 2020, resulting from protests and  
20.30 unrest in the cities included in the peacetime emergency declared in the governor's Executive  
20.31 Order No. 20-64:

21.1 (1) building materials and supplies used or consumed in, and equipment incorporated  
21.2 into, the construction, replacement, or repair of real property;

21.3 (2) capital equipment, including retail fixtures, office equipment, and restaurant  
21.4 equipment, with a cost of \$5,000 or more and a useful life of more than one year; and

21.5 (3) building cleaning and disinfecting services related to mitigating smoke damage and  
21.6 graffiti on and in impacted buildings.

21.7 (b) The exemption in this subdivision only applies to materials, supplies, and services  
21.8 purchased to repair, replace, or clean buildings owned by a government entity or by a private  
21.9 owner provided the building housed one or more of the following entities at the time of the  
21.10 damage or destruction:

21.11 (1) a commercial establishment with annual gross income of \$30,000,000 or less in  
21.12 calendar year 2019;

21.13 (2) a nonprofit organization; or

21.14 (3) a low-income housing development that meets the certification requirements under  
21.15 Minnesota Statutes, section 273.128, whether or not the development was occupied at the  
21.16 time of its damage or destruction.

21.17 (c) The tax must be imposed and collected as if the rate under section 297A.62,  
21.18 subdivision 1, applied and then refunded in the manner provided in section 297A.75. The  
21.19 exemption under paragraph (a) applies to sales and purchases made after May 25, 2020,  
21.20 and before December 1, 2022.

21.21 (d) Both the owner and occupants of the real property at the time of the damage or  
21.22 destruction may apply for a refund under this subdivision but may only request a refund for  
21.23 the goods and services they paid for, or were contracted and paid for on their behalf. The  
21.24 exemption does not apply to purchases of an owner if the owner did not own the real property  
21.25 at the time of the damage or destruction.

21.26 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
21.27 applies retroactively to sales and purchases made after May 25, 2020.

21.28 Sec. 2. Minnesota Statutes 2019 Supplement, section 297A.75, subdivision 1, as amended  
21.29 by Laws 2020, chapter 83, article 1, section 74, is amended to read:

21.30 Subdivision 1. **Tax collected.** The tax on the gross receipts from the sale of the following  
21.31 exempt items must be imposed and collected as if the sale were taxable and the rate under  
21.32 section 297A.62, subdivision 1, applied. The exempt items include:

- 22.1 (1) building materials for an agricultural processing facility exempt under section  
22.2 297A.71, subdivision 13;
- 22.3 (2) building materials for mineral production facilities exempt under section 297A.71,  
22.4 subdivision 14;
- 22.5 (3) building materials for correctional facilities under section 297A.71, subdivision 3;
- 22.6 (4) building materials used in a residence for veterans with a disability exempt under  
22.7 section 297A.71, subdivision 11;
- 22.8 (5) elevators and building materials exempt under section 297A.71, subdivision 12;
- 22.9 (6) materials and supplies for qualified low-income housing under section 297A.71,  
22.10 subdivision 23;
- 22.11 (7) materials, supplies, and equipment for municipal electric utility facilities under  
22.12 section 297A.71, subdivision 35;
- 22.13 (8) equipment and materials used for the generation, transmission, and distribution of  
22.14 electrical energy and an aerial camera package exempt under section 297A.68, subdivision  
22.15 37;
- 22.16 (9) commuter rail vehicle and repair parts under section 297A.70, subdivision 3, paragraph  
22.17 (a), clause (10);
- 22.18 (10) materials, supplies, and equipment for construction or improvement of projects and  
22.19 facilities under section 297A.71, subdivision 40;
- 22.20 (11) materials, supplies, and equipment for construction, improvement, or expansion of  
22.21 a biopharmaceutical manufacturing facility exempt under section 297A.71, subdivision  
22.22 45;
- 22.23 (12) enterprise information technology equipment and computer software for use in a  
22.24 qualified data center exempt under section 297A.68, subdivision 42;
- 22.25 (13) materials, supplies, and equipment for qualifying capital projects under section  
22.26 297A.71, subdivision 44, paragraph (a), clause (1), and paragraph (b);
- 22.27 (14) items purchased for use in providing critical access dental services exempt under  
22.28 section 297A.70, subdivision 7, paragraph (c);
- 22.29 (15) items and services purchased under a business subsidy agreement for use or  
22.30 consumption primarily in greater Minnesota exempt under section 297A.68, subdivision  
22.31 44;

23.1 (16) building materials, equipment, and supplies for constructing or replacing real  
23.2 property exempt under section 297A.71, subdivisions 49; 50, paragraph (b); and 51; ~~and~~

23.3 (17) building materials, equipment, and supplies for qualifying capital projects under  
23.4 section 297A.71, subdivision 52; and

23.5 (18) building materials, equipment, supplies, and capital equipment for constructing or  
23.6 replacing real property, and cleaning and disinfecting services for impacted property exempt  
23.7 under section 297A.71, subdivision 53.

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

23.9 Sec. 3. Minnesota Statutes 2019 Supplement, section 297A.75, subdivision 2, is amended  
23.10 to read:

23.11 Subd. 2. **Refund; eligible persons.** Upon application on forms prescribed by the  
23.12 commissioner, a refund equal to the tax paid on the gross receipts of the exempt items must  
23.13 be paid to the applicant. Only the following persons may apply for the refund:

23.14 (1) for subdivision 1, clauses (1), (2), and (14), the applicant must be the purchaser;

23.15 (2) for subdivision 1, clause (3), the applicant must be the governmental subdivision;

23.16 (3) for subdivision 1, clause (4), the applicant must be the recipient of the benefits  
23.17 provided in United States Code, title 38, chapter 21;

23.18 (4) for subdivision 1, clause (5), the applicant must be the owner of the homestead  
23.19 property;

23.20 (5) for subdivision 1, clause (6), the owner of the qualified low-income housing project;

23.21 (6) for subdivision 1, clause (7), the applicant must be a municipal electric utility or a  
23.22 joint venture of municipal electric utilities;

23.23 (7) for subdivision 1, clauses (8), (11), (12), and (15), the owner of the qualifying  
23.24 business;

23.25 (8) for subdivision 1, clauses (9), (10), (13), and (17), the applicant must be the  
23.26 governmental entity that owns or contracts for the project or facility; ~~and~~

23.27 (9) for subdivision 1, clause (16), the applicant must be the owner or developer of the  
23.28 building or project; and

23.29 (10) for subdivision 1, clause (17), the applicant must be an owner or occupant of the  
23.30 real property at the time of its damage or destruction.

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

24.2 Sec. 4. **PROPERTY TAX RELIEF FOR PROPERTIES DAMAGED BY FIRE OR**  
24.3 **VANDALISM.**

24.4 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
24.5 the meanings given.

24.6 (b) "Damage amount" means the difference between (1) a property's estimated market  
24.7 value as determined on January 2, 2020, and (2) the property's estimated market value as  
24.8 determined under subdivision 4.

24.9 (c) "Qualifying property" means a property that:

24.10 (1) is located in the area included in the peacetime emergency declared in the governor's  
24.11 Executive Order No. 20-64;

24.12 (2) was damaged or destroyed due to the unrest in the cities of Minneapolis and St. Paul  
24.13 and surrounding communities after May 24, 2020, and before June 16, 2020;

24.14 (3) has a damage amount equal to at least 25 percent of the property's estimated market  
24.15 value as determined on January 2, 2020; and

24.16 (4) has not received abatements or credits under Minnesota Statutes, sections 273.1231  
24.17 to 273.1235, for a disaster or emergency that occurred in 2020.

24.18 (d) "Utility property" means property appraised and classified for tax purposes by order  
24.19 of the commissioner of revenue under Minnesota Statutes, sections 273.33 to 273.3711.

24.20 Subd. 2. **Application.** The owner of a property that is not a utility property must apply  
24.21 to the county board and county or local assessor by September 1, 2020, in a manner  
24.22 prescribed by the assessor, in order to be eligible for an abatement under subdivision 3. The  
24.23 owner of a utility property must apply to the commissioner of revenue by September 1,  
24.24 2020, in a manner prescribed by the commissioner, in order to be eligible for an abatement  
24.25 under subdivision 3.

24.26 Subd. 3. **Abatements.** (a) Notwithstanding Minnesota Statutes, sections 270C.86 and  
24.27 375.192, the county board and commissioner of revenue must grant abatements in the  
24.28 amounts provided in paragraphs (b) and (c) for qualifying properties that submitted an  
24.29 application under subdivision 2.

24.30 (b) For a qualifying property with a damage amount equal to less than 50 percent of the  
24.31 property's estimated market value as determined on January 2, 2020, the abatement amount  
24.32 is equal to 50 percent of the net property tax due on the property in 2020.

25.1 (c) For a qualifying property with a damage amount equal to at least 50 percent of the  
25.2 property's estimated market value as determined on January 2, 2020, the abatement amount  
25.3 is equal to 100 percent of the net property tax due on the property in 2020.

25.4 (d) If application is made after payment of all or a portion of the taxes being abated, the  
25.5 portion of the abatement already paid must be refunded to the taxpayer by the county  
25.6 treasurer as soon as practicable.

25.7 Subd. 4. **Reassessments required.** For the purposes of this section, the county or local  
25.8 assessor must reassess all damaged property for which an application is submitted under  
25.9 subdivision 2, except that the commissioner of revenue must reassess all utility property  
25.10 for which an application is submitted under subdivision 2.

25.11 Subd. 5. **Valuation increase prohibited.** (a) The estimated market value for qualifying  
25.12 properties that receive an abatement under subdivision 3 must not exceed the property's  
25.13 estimated market value as determined under subdivision 4 until assessment year 2025,  
25.14 provided that the property retains the same ownership it had as of May 25, 2020.

25.15 (b) Owners of property meeting the requirements of this subdivision must submit any  
25.16 information the county or local assessor or commissioner of revenue deems necessary to  
25.17 determine continued eligibility under this subdivision by December 15 of each year prior  
25.18 to the assessment year for which the property qualifies under paragraph (a).

25.19 Subd. 6. **Reimbursement and appropriation.** (a) The county auditor must certify the  
25.20 abatements granted under this section to the commissioner of revenue for reimbursement  
25.21 to each taxing jurisdiction in which qualifying property is located. The commissioner must  
25.22 make the payments to the taxing jurisdictions containing qualifying property, other than  
25.23 school districts and the state, at the time distributions are made under Minnesota Statutes,  
25.24 section 473H.10, subdivision 3. Reimbursements to school districts must be made as provided  
25.25 in Minnesota Statutes, section 273.1392. No reimbursement is to be paid to the state treasury.

25.26 (b) An amount necessary to make payments required by this section is appropriated to  
25.27 the commissioner of revenue from the general fund in fiscal year 2021.

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

25.29 Amend the title accordingly