

**SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION**

S.F. No. 3803

(SENATE AUTHORS: MURPHY)

DATE
03/07/2022

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Introduction and first reading
Referred to Taxes

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to taxation; property; modifying the senior citizens' property tax deferral
1.3 program; requiring notification of changes; amending Minnesota Statutes 2020,
1.4 sections 290B.03, subdivision 1; 290B.04, subdivisions 3, 4; 290B.05, subdivision
1.5 1.

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

1.7 Section 1. Minnesota Statutes 2020, section 290B.03, subdivision 1, is amended to read:

1.8 Subdivision 1. **Program qualifications.** The qualifications for the senior citizens'
1.9 property tax deferral program are as follows:

1.10 (1) the property must be owned and occupied as a homestead by a person 65 years of
1.11 age or older. In the case of a married couple, at least one of the spouses must be at least 65
1.12 years old at the time the first property tax deferral is granted, regardless of whether the
1.13 property is titled in the name of one spouse or both spouses, or titled in another way that
1.14 permits the property to have homestead status, and the other spouse must be at least 62 years
1.15 of age;

1.16 (2) the total household income of the qualifying homeowners, as defined in section
1.17 290A.03, subdivision 5, for the calendar year preceding the year of the initial application
1.18 may not exceed ~~\$60,000~~ \$75,000;

1.19 (3) the homestead must have been owned and occupied as the homestead of at least one
1.20 of the qualifying homeowners for at least ~~15~~ five years prior to the year the initial application
1.21 is filed;

1.22 (4) there are no state or federal tax liens or judgment liens on the homesteaded property;

2.1 (5) there are no mortgages or other liens on the property that secure future advances,
2.2 except for those subject to credit limits that result in compliance with clause (6); and

2.3 (6) the total unpaid balances of debts secured by mortgages and other liens on the
2.4 property, including unpaid and delinquent special assessments and interest and any delinquent
2.5 property taxes, penalties, and interest, but not including property taxes payable during the
2.6 year or debts secured by a residential PACE lien, as defined in section 216C.435, subdivision
2.7 10d, does not exceed 75 percent of the assessor's estimated market value for the year.

2.8 **EFFECTIVE DATE.** This section is effective for applications received for deferral of
2.9 taxes payable in 2023 and thereafter.

2.10 Sec. 2. Minnesota Statutes 2020, section 290B.04, subdivision 3, is amended to read:

2.11 Subd. 3. **Excess-income certification by taxpayer.** A taxpayer whose initial application
2.12 has been approved under subdivision 2 shall notify the commissioner of revenue in writing
2.13 by July 1 if the taxpayer's household income for the preceding calendar year exceeded
2.14 ~~\$60,000~~ \$75,000. The certification must state the homeowner's total household income for
2.15 the previous calendar year. No property taxes may be deferred under this chapter in any
2.16 year following the year in which a program participant filed or should have filed an
2.17 excess-income certification under this subdivision, unless the participant has filed a
2.18 resumption of eligibility certification as described in subdivision 4.

2.19 **EFFECTIVE DATE.** This section is effective for applications received for deferral of
2.20 taxes payable in 2023 and thereafter.

2.21 Sec. 3. Minnesota Statutes 2020, section 290B.04, subdivision 4, is amended to read:

2.22 Subd. 4. **Resumption of eligibility certification by taxpayer.** A taxpayer who has
2.23 previously filed an excess-income certification under subdivision 3 may resume program
2.24 participation if the taxpayer's household income for a subsequent year is ~~\$60,000~~ \$75,000
2.25 or less. If the taxpayer chooses to resume program participation, the taxpayer must notify
2.26 the commissioner of revenue in writing by July 1 of the year following a calendar year in
2.27 which the taxpayer's household income is ~~\$60,000~~ \$75,000 or less. The certification must
2.28 state the taxpayer's total household income for the previous calendar year. Once a taxpayer
2.29 resumes participation in the program under this subdivision, participation will continue until
2.30 the taxpayer files a subsequent excess-income certification under subdivision 3 or until
2.31 participation is terminated under section 290B.08, subdivision 1.

3.1 **EFFECTIVE DATE.** This section is effective for applications received for deferral of
 3.2 taxes payable in 2023 and thereafter.

3.3 Sec. 4. Minnesota Statutes 2020, section 290B.05, subdivision 1, is amended to read:

3.4 Subdivision 1. **Determination by commissioner.** The commissioner shall determine
 3.5 each qualifying homeowner's "annual maximum property tax amount" following approval
 3.6 of the homeowner's initial application and following the receipt of a resumption of eligibility
 3.7 certification. The "annual maximum property tax amount" equals three percent of the
 3.8 homeowner's total household income for the year preceding either the initial application or
 3.9 the resumption of eligibility certification, whichever is applicable. Following approval of
 3.10 the initial application, the commissioner shall determine the qualifying homeowner's
 3.11 "maximum allowable deferral." No tax may be deferred relative to the appropriate assessment
 3.12 year for any homeowner whose total household income for the previous year exceeds
 3.13 ~~\$60,000~~ \$75,000. No tax shall be deferred in any year in which the homeowner does not
 3.14 meet the program qualifications in section 290B.03. The maximum allowable total deferral
 3.15 is equal to 75 percent of the assessor's estimated market value for the year, less the balance
 3.16 of any mortgage loans and other amounts secured by liens against the property at the time
 3.17 of application, including any unpaid and delinquent special assessments and interest and
 3.18 any delinquent property taxes, penalties, and interest, but not including property taxes
 3.19 payable during the year.

3.20 **EFFECTIVE DATE.** This section is effective for applications received for deferral of
 3.21 taxes payable in 2023 and thereafter.

3.22 Sec. 5. **SENIOR CITIZENS' PROPERTY TAX DEFERRAL PROGRAM; NOTICE**
 3.23 **OF CHANGES.**

3.24 By September 1, 2022, for homestead property classified under Minnesota Statutes,
 3.25 section 273.13, subdivisions 22 and 23, each county auditor must deliver by first class mail
 3.26 to each property owner at the address listed on the county's current year's assessment roll,
 3.27 a notice prescribed by the commissioner of revenue that informs property owners that for
 3.28 purposes of the senior citizens' property tax deferral program under Minnesota Statutes,
 3.29 chapter 290B, effective beginning with property taxes payable in 2023, the homestead and
 3.30 residency requirement was reduced from 15 years to five years, and the maximum household
 3.31 income threshold increased from \$60,000 to \$75,000. The notice must also provide the
 3.32 website for the Minnesota Department of Revenue where additional information on the
 3.33 senior citizens' property tax deferral program, including application, may be obtained.

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