

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

**S.F. No. 4336**

(SENATE AUTHORS: JASINSKI and Johnson)

DATE  
02/29/2024

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Introduction and first reading  
Referred to Transportation

OFFICIAL STATUS

1.1 A bill for an act  
 1.2 relating to highways; establishing requirements governing cost participation on  
 1.3 trunk highway projects; appropriating money; proposing coding for new law in  
 1.4 Minnesota Statutes, chapter 161.

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

1.6 Section 1. **[161.375] COST PARTICIPATION.**

1.7 Subdivision 1. **Cost participation limitations.** (a) Cost participation policies and  
 1.8 procedures established by the commissioner for trunk highway projects must not require or  
 1.9 obligate a local unit of government to pay for any portion of the project costs that are:

1.10 (1) incurred within a trunk highway right-of-way; and

1.11 (2) necessitated as a result of the project.

1.12 (b) Project costs under this subdivision include but are not limited to utility relocation.

1.13 (c) The requirements under this subdivision apply regardless of facility ownership,  
 1.14 whether an expenditure is for a nontrunk highway purpose that must not be paid from the  
 1.15 trunk highway fund, or whether the project provides for nontrunk highway system benefits.

1.16 The commissioner must identify nontrunk highway fund sources as necessary.

1.17 Subd. 2. **Application.** The requirements under subdivision 1 do not apply to costs that  
 1.18 are a result of agreement between the commissioner and the local unit of government for  
 1.19 work that is in addition to the project design or scope, including as provided under section  
 1.20 161.38, subdivisions 1 and 2.

2.1 **EFFECTIVE DATE.** This section is effective July 1, 2024. This section does not apply  
2.2 to a trunk highway project that was included in the state transportation improvement program  
2.3 before July 1, 2024, for commencement of construction in calendar year 2024.

2.4 Sec. 2. **APPROPRIATION; TRUNK HIGHWAY PROJECT COSTS.**

2.5 \$..... in fiscal year 2025 is appropriated from the general fund to the commissioner of  
2.6 transportation for the costs of trunk highway projects that are not eligible to be paid from  
2.7 the trunk highway fund, in conformance with the requirements under Minnesota Statutes,  
2.8 section 161.375, subdivision 1. This appropriation is available until June 30, 2026. The base  
2.9 for this appropriation is \$..... in each of fiscal years 2026 and 2027.