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State of Minnesota  
HOUSE OF REPRESENTATIVES  
NINETIETH SESSION

H. F. No. 3159

03/01/2018 Authored by Koegel, Davnie, Kunesh-Podein, Sandstede, Bly and others  
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act  
1.2 relating to education; authorizing school districts to renew expiring referendums  
1.3 and capital project referendums by action of school board; amending Minnesota  
1.4 Statutes 2016, sections 123B.63, by adding a subdivision; 126C.17, by adding a  
1.5 subdivision.

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

1.7 Section 1. Minnesota Statutes 2016, section 123B.63, is amended by adding a subdivision  
1.8 to read:

1.9 Subd. 3a. **Renewal by school board.** (a) Notwithstanding the election requirements of  
1.10 subdivision 3, a school board may renew an expiring capital project levy referendum by  
1.11 board action if:

1.12 (1) the local tax rate is the same as the referendum expiring;

1.13 (2) the term of the renewed levy is no longer than the initial term approved by the voters;  
1.14 and

1.15 (3) the school board has adopted a written resolution authorizing the renewal after holding  
1.16 a meeting and allowing public testimony on the proposed renewal.

1.17 (b) The resolution must be adopted by the school board by June 15 of any calendar year  
1.18 and becomes effective 60 days after its adoption.

1.19 (c) A capital project levy referendum expires in the last fiscal year in which the  
1.20 referendum generates revenue for the school district. A school board may renew an expiring  
1.21 referendum under this subdivision not more than two fiscal years before the referendum  
1.22 expires.

2.1 (d) A district renewing an expiring referendum under this subdivision must submit a  
 2.2 copy of the adopted resolution to the commissioner and to the county auditor no later than  
 2.3 September 1 of the calendar year in which the levy is certified.

2.4 (e) A school board exercising renewal authority under this subdivision must meet the  
 2.5 requirements of section 123B.71. A school board must not use board-renewed levy proceeds  
 2.6 under this subdivision to fund a project not receiving a positive review and comment by the  
 2.7 commissioner if required under section 123B.71, subdivision 8.

2.8 **EFFECTIVE DATE.** This section is effective July 1, 2018.

2.9 Sec. 2. Minnesota Statutes 2016, section 126C.17, is amended by adding a subdivision to  
 2.10 read:

2.11 **Subd. 9b. Renewal by school board.** (a) Notwithstanding the election requirements of  
 2.12 subdivision 9, a school board may renew an expiring referendum by board action if:

2.13 (1) the per-pupil amount of the referendum is the same as the amount expiring;

2.14 (2) the term of the renewed referendum is no longer than the initial term approved by  
 2.15 the voters; and

2.16 (3) the school board has adopted a written resolution authorizing the renewal after holding  
 2.17 a meeting and allowing public testimony on the proposed renewal.

2.18 (b) The resolution must be adopted by the school board by June 15 of any calendar year  
 2.19 and becomes effective 60 days after its adoption.

2.20 (c) A referendum expires in the last fiscal year in which the referendum generates revenue  
 2.21 for the school district. A school board may renew an expiring referendum under this  
 2.22 subdivision not more than two fiscal years before the referendum expires.

2.23 (d) A district renewing an expiring referendum under this subdivision must submit a  
 2.24 copy of the adopted resolution to the commissioner and to the county auditor no later than  
 2.25 September 1 of the calendar year in which the levy is certified.

2.26 **EFFECTIVE DATE.** This section is effective July 1, 2018.