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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 346

01/24/2019 Authored by Carlson, A.; Howard; Xiong, T.; Elkins; Hornstein and others
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 taxation; clarifying authority for political subdivisions to impose and
1.3 collect local lodging taxes; amending Minnesota Statutes 2018, section 469.190,
1.4 subdivisions 1, 7.

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

1.6 Section 1. Minnesota Statutes 2018, section 469.190, subdivision 1, is amended to read:

1.7 Subdivision 1. **Authorization.** Notwithstanding section 477A.016 or any other law, a
1.8 statutory or home rule charter city may by ordinance, and a town may by the affirmative
1.9 vote of the electors at the annual town meeting, or at a special town meeting, impose a tax
1.10 of up to three percent on the gross receipts from the furnishing for consideration of lodging
1.11 at a hotel, motel, rooming house, tourist court, or resort, other than the renting or leasing
1.12 of it for a continuous period of 30 days or more. A statutory or home rule charter city may
1.13 by ordinance impose the tax authorized under this subdivision on the camping site receipts
1.14 of a municipal campground. The tax applied under this subdivision or under a special law
1.15 applies to the entire consideration paid to obtain access to lodging, including ancillary or
1.16 related services, such as services provided by accommodation intermediaries as defined in
1.17 section 297A.61, and similar services.

1.18 **EFFECTIVE DATE; INTENT AND APPLICATION.** (a) This section is effective
1.19 the day following final enactment.

1.20 (b) In enacting this section, the legislature confirms its original intent in enacting
1.21 Minnesota Statutes, section 469.190, its predecessor provisions, and any special laws
1.22 authorizing political subdivisions to impose lodging taxes, were and are intended to apply
1.23 to the entire consideration paid to obtain access to transient lodging, including ancillary or

2.1 related services, such as services provided by accommodation intermediaries as defined in  
2.2 Minnesota Statutes, section 297A.61, and similar services. The provisions of this section  
2.3 must not be interpreted to imply a narrower construction of the tax base under lodging tax  
2.4 provisions of Minnesota law prior to the enactment of this section.

2.5 Sec. 2. Minnesota Statutes 2018, section 469.190, subdivision 7, is amended to read:

2.6 Subd. 7. **Collection.** (a) The statutory or home rule charter city may agree with the  
2.7 commissioner of revenue that a tax imposed pursuant to this section shall be collected by  
2.8 the commissioner together with the tax imposed by chapter 297A, and subject to the same  
2.9 interest, penalties, and other rules and that its proceeds, less the cost of collection, shall be  
2.10 remitted to the city.

2.11 (b) If a tax under this section or under a special law is not collected by the commissioner  
2.12 of revenue, the local government imposing the tax, may by ordinance, limit the required  
2.13 filing and remittance of the tax by an accommodation intermediary, as defined in section  
2.14 297A.61, subdivision 47, to once in every calendar year. The local government must inform  
2.15 the accommodation intermediary of the date when the return or remittance is due and the  
2.16 dates must coincide with one of the monthly dates for filing and remitting state sales tax  
2.17 under chapter 297A. The local government must also provide accommodation intermediaries  
2.18 electronically with geographic and zip code information necessary to correctly collect the  
2.19 tax.

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