

# HOUSE RESEARCH

## Bill Summary

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This bill adds to the list of improvements a municipality (city or urban town) may make and finance with special assessments. It allows a municipality to enter into an agreement with a private or cooperative electric or communications utility to pay all or part of the incremental costs to bury or alter an existing service distribution system, within public right-of-way, that exceeds design and construction standards set in law, tariff or franchise, but only if requested by all abutting property owners who would be assessed.

Under Minn. Stat. § 429.031, subd. 3, (the cross-reference in the bill) "[w]henver all owners of real property abutting upon any street named as the location of any improvement shall petition the council to construct the improvement and to assess the entire cost against their property, the council may, without a public hearing, adopt a resolution determining such fact and ordering the improvement. The validity of the resolution shall not be questioned by any taxpayer or property owner or the municipality unless an action for that purpose is commenced within 30 days after adoption of the resolution as provided in section 429.036. Nothing herein prevents any property owner from questioning the amount or validity of the special assessment against the owner's property pursuant to section 429.081. ...."