

HOUSE RESEARCH

Bill Summary

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Provides that the Anoka County Housing and Redevelopment Authority (HRA) has jurisdiction in and may operate in all areas of the county, including within cities in the county except those cities with their own HRAs established as of May 3, 2011. After May 3, 2011, a city may establish an HRA with concurrence of the county.^[1] The location of a county HRA project within a city requires approval by the city. The bill also provides that the Anoka County HRA operates under the current laws governing county HRAs, striking references to the prior municipal HRA statutes.

This bill is in response to a May 3, 2011, court decision. *City of East Bethel v. Anoka County Housing and Redevelopment Authority*, 798 N.W.2d 375 (Minn. App. 2011). The county HRA was established in 1994 under authority of a 1978 special law. It had been levying countywide outside of those cities with their own HRAs at the time the county HRA was established, including in the city of East Bethel. In 2009, East Bethel established its own city HRA and then sued to prevent the county HRA from continuing to levy in the city. The county HRA argued that the law only prevented it from levying in cities with their own HRAs that existed at the time the county HRA was established. On May 3, 2011, the Minnesota Court of Appeals sided with East Bethel.

Effective upon local approval by the county and the HRA.

^[1] Minn. Stat. § 469.004, subd. 5, provides in part "...Where a county or multicounty authority has been established, additional city housing and redevelopment authorities shall not be created within the area of operation of the county or multicounty authority without the explicit concurrence of the county or multicounty housing and redevelopment authority and the commissioner of employment and economic development. City housing and redevelopment authorities must petition the county or multicounty authority for authorization to establish a local housing authority and this petition must be approved by the commissioner of employment and economic development. ..."