

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1393

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Version: As introduced

Authors: McDonald and others

Subject: Individual income tax – definition of a resident

Analyst: Joel Michael, joel.michael@house.mn; Nina Manzi, 651-296-5204

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This bill modifies the statutory residency test (often referred to as the physical presence or number of days test) that applies to individuals who are domiciled in another state or county. The bill increases the required time period that an individual must be present in Minnesota to be deemed a resident for income tax purposes from more than one-half of the taxable year (or 183 days in a non-leap year) to 200 days. Under present law, any part of a day spent in Minnesota qualifies, unless the individual is simply in transit through the state (e.g., changing planes while traveling between two places outside of Minnesota). An individual must maintain an “abode” (e.g., owning a home or renting a dwelling unit) in Minnesota to be subject to the statutory residency test.