

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 2401
Version: As introduced

DATE: March 28, 2016

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Subject: Time to complete local approval of 2014 law

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Gives the city of Edina until December 31, 2016, to file its certificate of local approval of the 2014 special TIF law for the city. The city needed to file the certificate with the secretary of state before January 6, 2015, for the law to take effect.

Under the state constitution, “[t]he legislature may enact special laws relating to local government units, but a special law, unless otherwise provided by general law, shall become effective only after its approval by the affected unit expressed through the voters or the governing body and by such majority as the legislature may direct.” Minnesota Statutes, section 645.021, requires approval by resolution adopted by a majority vote of all members of the governing body of the unit unless another method of approval is specified by the particular special law. The chief clerical officer of a local government unit then files with the secretary of state a certificate stating the essential facts necessary to valid approval, including a copy of the resolution of approval or, if submitted to the voters, the number of votes cast for and against approval at the election. A local government has until the day before the first Tuesday after the first Monday in January of odd-numbered years, to file a certificate of approval or the law is deemed to be disapproved by the local government.

Over the years, a number of local governments have failed to complete local approval for technical reasons and the legislature has enacted curative acts such as this for them. See e.g., Laws 2015, ch. 19 (Cedar Lake Area Water and Sanitary Sewer District).

The 2014 special legislation enacted for the city of Edina allowed it to create one or more housing districts in its Southeast Edina Redevelopment Project Area through June 30, 2017, with a 20-year duration (as compared with 25 years under general law) and only 20 percent of the units required to be low-income housing, as opposed to 40 percent under general law. The city is authorized to use up to 35 percent of the revenues from its Southdale 2 economic development district to assist these housing developments.