



## **S.F. No. 783 – Establishing a private letter ruling program (as proposed to be amended by the A-1 amendment)**

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### **Section 1. Private letter rulings.**

**Subd. 1. Program established.** Requires the commissioner of revenue to establish a program by January 1, 2026, to issue private letter rulings to taxpayers to provide guidance on how the commissioner will apply tax laws to specific situations, transactions, or arrangements that apply to the taxpayer.

**Subd. 2. Application procedure; fees.** Requires the commissioner to establish an application procedure and forms to request a private letter ruling. Authorizes the commissioner to establish a fee schedule, capped at an unspecified amount, to cover the department's costs of preparing rulings. Also authorizes the commissioner to establish a schedule by which private letter rulings must be issued, which may vary based on the complexity of the request or number and type of issues presented in the request. The maximum number of days by which rulings must be issued is not specified. Requires the commissioner to refund the application fee if the deadline is not met, but the commissioner must still issue the ruling. Appropriates fees to a special revenue fund to offset costs of the private letter ruling program and related administrative costs.

**Subd. 3. Effect.** Provides that a private letter ruling is binding on the commissioner with regard to the requesting taxpayer if there was no misstatement or omission of material facts in the application, the facts that subsequently developed were not materially different from the facts on which the ruling was based, applicable state and federal rules and laws have not changed, and the taxpayer acted in good faith in applying for and relying on the ruling. Private letter rulings have no precedential effect and may not be relied upon by a taxpayer other than the requesting taxpayer.

**Subd. 4. Public access.** Requires the commissioner to make rulings available and searchable on the department's website with a disclaimer that rulings have no precedential effect and may not be relied upon by a taxpayer other than the requesting taxpayer. Rulings must be organized by tax type, and identifying information must be redacted.

**Subd. 5. Legislative report.** Requires the commissioner to issue a report to the legislature by January 31 of each odd-numbered year. The report must contain the number of applications for

private letter rulings, the number of rulings issued, including the number issued within the time specified under subdivision 2, the amount of application fees refunded by tax type, the tax types for which rulings were requested, the types and characteristics of taxpayers requesting rulings, and any other relevant information.

Effective the day following final enactment, except that the first legislative report under subdivision 5 must be issued by January 31, 2028.



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