



# HOUSE BILL No. 5963

June 7, 1996, Introduced by Rep. Brackenridge and referred to the Committee on Local Government.

A bill to amend section 7 of Act No. 198 of the Public Acts of 1974, entitled

"An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,"

as amended by Act No. 417 of the Public Acts of 1982, being section 207.557 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 7 of Act No. 198 of the Public Acts of  
2 1974, as amended by Act No. 417 of the Public Acts of 1982, being  
3 section 207.557 of the Michigan Compiled Laws, is amended to read  
4 as follows:

1       Sec. 7. (1) Within 60 days after receipt of an approved  
2 application or an appeal of a disapproved application, the  
3 commission shall determine whether the facility is a speculative  
4 building or designed and acquired primarily for the purpose of  
5 restoration or replacement of obsolete industrial property or the  
6 construction of new industrial property, and whether the facility  
7 otherwise complies with section 9 and with the other provisions  
8 of this act. If the commission so finds, it shall issue an  
9 industrial facilities exemption certificate. Before issuing a  
10 certificate the commission shall notify the state treasurer of  
11 the application and shall obtain the written concurrence of the  
12 department of ~~commerce~~ CONSUMER AND INDUSTRY SERVICES that the  
13 application complies with the requirements in section 9. The  
14 effective date of the certificate for a replacement facility or  
15 new facility ~~shall be~~ IS the IMMEDIATELY SUCCEEDING December 31  
16 ~~next~~ following the date ~~of issuance of~~ the certificate IS  
17 ISSUED. For a speculative building or a portion ~~thereof~~ OF A  
18 SPECULATIVE BUILDING, the effective date of the certificate  
19 ~~shall be~~ IS the IMMEDIATELY SUCCEEDING December 31 ~~next~~ fol-  
20 lowing the date the speculative building, or the portion  
21 ~~thereof~~ OF A SPECULATIVE BUILDING, is ~~being~~ used as a manu-  
22 facturing facility.

23       (2) The commission shall send an industrial facilities  
24 exemption certificate, when issued, by certified mail to the  
25 applicant, and a certified copy by certified mail to the assessor  
26 of the assessing unit in which the facility is located or to be  
27 located, ~~which~~ AND THAT copy shall be filed ~~of record~~ in his

1 or her office. Notice of the commission's refusal to issue a  
2 certificate shall be sent by certified mail to the same persons.

3 (3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, IF ON  
4 DECEMBER 29, 1986 A LOCAL UNIT PASSED A RESOLUTION APPROVING AN  
5 EXEMPTION CERTIFICATE FOR 10 YEARS FOR REAL AND PERSONAL PROPER-  
6 TY, AND THE TAX COMMISSION DID NOT RECEIVE NOTICE OF THE LOCAL  
7 UNIT'S APPROVAL UNTIL 1995, THEN THE TAX COMMISSION SHALL ISSUE,  
8 FOR THAT PROPERTY, AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE  
9 THAT BEGINS DECEMBER 30, 1987 AND ENDS DECEMBER 30, 1997.