

**SUBSTITUTE FOR  
HOUSE BILL NO. 5892**

A bill to amend 1975 PA 228, entitled  
"Single business tax act,"  
by amending section 6 (MCL 208.6) and by adding section 21b.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 6. (1) "Person" means an individual, firm, bank,  
2 financial institution, limited partnership, copartnership, part-  
3 nership, joint venture, association, LIMITED LIABILITY COMPANY,  
4 corporation, receiver, estate, trust, BUSINESS TRUST, UNINCORPOR-  
5 ATED ORGANIZATION, or any other group or combination acting as a  
6 unit.

7       (2) "Rent" includes a lease payment or other payment for the  
8 use of any property to which the taxpayer does not have legal or  
9 equitable title.

10       SEC. 21B. (1) A PERSON THAT FILES AS A CORPORATION FOR  
11 FEDERAL TAX PURPOSES SHALL BE TREATED AS A CORPORATION FOR

**HB5892, As Passed House, July 1, 1998**

House Bill No. 5892

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1 PURPOSES OF THIS ACT. A PERSON THAT FILES AS A PARTNERSHIP FOR  
2 FEDERAL TAX PURPOSES SHALL BE TREATED AS A PARTNERSHIP FOR PUR-  
3 POSES OF THIS ACT. A PERSON THAT FILES AS A DIVISION OF ITS  
4 OWNER FOR FEDERAL TAX PURPOSES SHALL BE TREATED AS A DIVISION OF  
5 ITS OWNER FOR PURPOSES OF THIS ACT.

6 (2) A MEMBER OF A LIMITED LIABILITY COMPANY THAT FILES AS A  
7 CORPORATION FOR FEDERAL TAX PURPOSES SHALL BE TREATED AS A SHARE-  
8 HOLDER OF A CORPORATION FOR PURPOSES OF THIS ACT. A MEMBER OF A  
9 LIMITED LIABILITY COMPANY THAT FILES AS A PARTNERSHIP FOR FEDERAL  
10 TAX PURPOSES SHALL BE TREATED AS A PARTNER OF A PARTNERSHIP FOR  
11 PURPOSES OF THIS ACT.

12 (3) A PERSON'S FEDERAL FILING STATUS FOR PURPOSES OF THIS  
13 SECTION SHALL BE DETERMINED UNDER THE INTERNAL REVENUE CODE AND  
14 REGULATIONS PROMULGATED PURSUANT TO THE INTERNAL REVENUE CODE IN  
15 EFFECT FOR THE TAX YEAR IN WHICH THE RETURN IS FILED.