

HOUSE BILL No. 4694

May 18, 1999, Introduced by Reps. Minore, Lemmons, Neumann, Rison, Clark, Daniels, Garza, Bogardus, Cherry, Lockwood, Schauer and Thomas and referred to the Committee on Tax Policy.

A bill to amend 1895 PA 206, entitled
"The general property tax act,"
by amending section 9f (MCL 211.9f), as amended by 1999 PA 20.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9f. (1) The governing body of an eligible local
2 assessing district may adopt a resolution to exempt from the col-
3 lection of taxes under this act all new personal property owned
4 or leased by an eligible business located in 1 or more eligible
5 districts designated in the resolution. The clerk of the eligi-
6 ble local assessing district shall notify in writing the assessor
7 of the local tax collecting unit in which the eligible district
8 is located and the legislative body of each taxing unit that
9 levies ad valorem property taxes in the eligible local assessing
10 district in which the eligible district is located. Before
11 acting on the resolution, the governing body of the eligible

1 local assessing district shall afford the assessor and a
2 representative of the affected taxing units an opportunity for a
3 hearing.

4 (2) The exemption under this section is effective on the
5 December 31 immediately succeeding the adoption of the resolution
6 by the governing body of the eligible local assessing district
7 and shall continue in effect for a period specified in the
8 resolution. A copy of the resolution shall be filed with the
9 state tax commission. A resolution is not effective unless
10 approved by the state tax commission as provided in subsection
11 (3).

12 (3) Not more than 60 days after receipt of a copy of the
13 resolution adopted under subsection (1), the state tax commission
14 shall approve or disapprove the resolution. The state treasurer,
15 with the written concurrence of the Michigan jobs commission or,
16 if Executive Order No. 1999-1 goes into effect April 5, 1999, the
17 president of the Michigan strategic fund, shall advise the state
18 tax commission as to whether exempting new personal property of
19 the eligible business is necessary to reduce unemployment, pro-
20 mote economic growth, and increase capital investment in this
21 state.

22 (4) As used in this section:

23 (a) "Eligible business" means, effective August 7, 1998, a
24 business engaged primarily in manufacturing, mining, research and
25 development, wholesale trade, or office operations OR A HOTEL OR
26 CONVENTION CENTER WITH NOT FEWER THAN 100 SLEEPING ROOMS, NOT
27 LESS THAN 6,400 SQUARE FEET OF CONVENTION OR EXHIBIT SPACE, AND

1 DINNER SEATING FOR NOT FEWER THAN 200 PERSONS. Eligible business
2 does not include a casino, retail establishment, professional
3 sports stadium, or that portion of an eligible business used
4 exclusively for retail sales. As used in this subdivision,
5 "casino" means a casino regulated by this state pursuant to the
6 Michigan gaming control and revenue act, the Initiated Law of
7 1996, MCL 432.201 to 432.226, and all property associated or
8 affiliated with the operation of a casino, including, but not
9 limited to, a parking lot, hotel, motel, or retail store.

10 (b) "Eligible district" means 1 or more of the following:

11 (i) An industrial development district as that term is
12 defined in 1974 PA 198, MCL 207.551 to 207.572.

13 (ii) A renaissance zone as that term is defined in the
14 Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to
15 125.2696.

16 (iii) An enterprise zone as that term is defined in the
17 enterprise zone act, 1985 PA 224, MCL 125.2101 to 125.2123.

18 (iv) A brownfield redevelopment zone as that term is defined
19 in the brownfield redevelopment financing act, 1996 PA 381,
20 MCL 125.2651 to 125.2672.

21 (v) An empowerment zone designated under subchapter U of
22 chapter 1 of the internal revenue code of 1986, 26 U.S.C. 1391 to
23 1397C and 1397E to 1397F.

24 (vi) An authority district or a development area as those
25 terms are defined in the tax increment finance authority act,
26 1980 PA 450, MCL 125.1801 to 125.1830.

1 (vii) An authority district as that term is defined in the
2 local development financing act, 1986 PA 281, MCL 125.2151 to
3 125.2174.

4 (viii) A downtown district or a development area as those
5 terms are defined in 1975 PA 197, MCL 125.1651 to 125.1681.

6 (c) "Eligible distressed area" means that term as defined in
7 section 11 of the state housing development authority act of
8 1966, 1966 PA 346, MCL 125.1411.

9 (d) "Eligible local assessing district" means a city, vil-
10 lage, or township that contains an eligible distressed area.

11 (e) "New personal property" means personal property that was
12 not previously subject to tax under this act and that is placed
13 in an eligible district after a resolution under subsection (1)
14 is approved by the eligible local assessing district. As used in
15 this subdivision, new personal property does not include build-
16 ings described in section 14(6) and personal property described
17 in section 8(h), (i), and (j).