

HOUSE BILL No. 6465

September 12, 2006, Introduced by Reps. Drolet, Moore, Ward, Gosselin, Palmer, Baxter and Hoogendyk and referred to the Committee on Government Operations.

A bill to amend 1991 PA 180, entitled

"An act to assist in the financing of stadia or convention facilities; to permit eligible municipalities to impose and collect an excise tax on businesses engaged in the preparation and delivery of food and beverages for immediate consumption, in leasing or renting motor vehicles in the eligible municipality, and in providing accommodations for dwelling, lodging, or sleeping purposes; to limit the rate of that excise tax; to authorize voter approval in a single ballot question of the excise tax authorized by this act and of certain purposes for which the excise tax is imposed; to provide for the establishment of procedures for the collection, administration, and enforcement of the excise tax; to prescribe the powers and duties of certain state departments and state and local officials; to provide for the disposition and transmittal of the revenues from the tax for stadia or convention facility development and other purposes and authorize the pledge of those revenues; to authorize the appointment of employees and officials of a local governmental unit to an authority to which revenues from the tax may be pledged; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts,"

(MCL 207.751 to 207.759) by amending the title and by adding

section 7a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 An act to assist in the financing of stadia or convention
 3 facilities; to permit eligible municipalities to impose and collect
 4 an excise tax on businesses engaged in the preparation and delivery
 5 of food and beverages for immediate consumption, in leasing or
 6 renting motor vehicles in the eligible municipality, and in
 7 providing accommodations for dwelling, lodging, or sleeping
 8 purposes; to limit the rate of that excise tax; to authorize voter
 9 approval in a single ballot question of the excise tax authorized
 10 by this act and of certain purposes for which the excise tax is
 11 imposed; to provide for the establishment of procedures for the
 12 collection, administration, and enforcement of the excise tax; to
 13 prescribe the powers and duties of certain state departments and
 14 state and local officials; to provide for the disposition and
 15 transmittal of the revenues from the tax for stadia or convention
 16 facility development and other purposes and authorize the pledge of
 17 those revenues; **TO IMPOSE REQUIREMENTS ON CERTAIN ENTITIES THAT**
 18 **OWN, OPERATE, OR LEASE STADIA THAT RECEIVE PUBLIC FUNDING;** to
 19 authorize the appointment of employees and officials of a local
 20 governmental unit to an authority to which revenues from the tax
 21 may be pledged; to prescribe penalties and provide remedies; and to
 22 repeal ~~certain~~ acts and parts of acts.

23 **SEC. 7A. (1) EXCEPT AS PROVIDED IN THIS SECTION, AN ENTITY**
 24 **THAT OWNS, OPERATES, OR LEASES A SPORTS STADIUM FOR WHICH 20% OR**
 25 **MORE OF THE CONSTRUCTION COSTS ARE DERIVED FROM STATE OR LOCAL**

1 TAXES SHALL NOT PROHIBIT A MEMBER OF THE PRESS FROM REASONABLE
2 ACCESS TO THE SIDELINES OF THE PLAYING AREA TO OBTAIN PHOTOGRAPHIC
3 OR VIDEO COVERAGE OF A SPORTING EVENT THAT IS OPEN TO THE PUBLIC.

4 (2) THE PROHIBITION IN SUBSECTION (1) DOES NOT PREVENT EITHER
5 OF THE FOLLOWING:

6 (A) AN ENTITY THAT OWNS, OPERATES, OR LEASES A SPORTS STADIUM
7 FROM ENFORCING REASONABLE RULES TO PRESERVE THE HEALTH AND SAFETY
8 OF THE PUBLIC AND THE ORDERLY USE OF THE SPORTS STADIUM.

9 (B) COMPLIANCE WITH TERMS IN A CONTRACT THAT IS IN EFFECT ON
10 THE EFFECTIVE DATE OF THE ACT THAT ADDED THIS SECTION.

11 (3) A MEMBER OF THE PRESS WHO IS DENIED REASONABLE ACCESS TO
12 THE SIDELINES IN VIOLATION OF SUBSECTION (1) MAY BRING AN ACTION TO
13 ENJOIN THE VIOLATION AND FOR ACTUAL DAMAGES IN A COURT IN THE
14 COUNTY IN WHICH THE SPORTS STADIUM IS LOCATED. THE COURT MAY AWARD
15 COSTS AND REASONABLE ATTORNEY FEES TO THE PREVAILING PLAINTIFF.