

HOUSE BILL No. 6466

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:

TITLE

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 IMPOSE REQUIREMENTS ON CERTAIN ENTITIES THAT OWN, OPERATE, OR LEASE STADIA THAT RECEIVE PUBLIC FUNDING;** 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.

SEC. 7A. (1) AN ENTITY THAT OWNS, OPERATES, OR LEASES A SPORTS STADIUM FOR WHICH 20% OR MORE OF THE CONSTRUCTION COSTS OR 20% OR MORE OF THE ANNUAL OPERATING EXPENSES ARE DERIVED FROM STATE OR

1 LOCAL TAXES OR FROM STATE OR LOCAL TAX-EXEMPT BONDS SHALL NOT
2 PROHIBIT A PATRON ATTENDING A SPORTING EVENT FROM CARRYING OR
3 DISPLAYING A SIGN OR MESSAGE UNLESS THE SIGN OR MESSAGE IS 1 OR
4 MORE OF THE FOLLOWING:

5 (A) DISPLAYED IN A MANNER THAT OBSTRUCTS ANY OTHER
6 INDIVIDUAL'S VIEW OF THE SPORTING EVENT.

7 (B) OBSCENE OR PORNOGRAPHIC.

8 (C) A SAFETY HAZARD BECAUSE OF ITS SIZE OR CONSTRUCTION.

9 (D) OCCUPYING SPACE BEYOND THE AREA THAT THE PATRON IS
10 AUTHORIZED TO OCCUPY.

11 (2) AN ENTITY THAT VIOLATES SUBSECTION (1) IS RESPONSIBLE FOR
12 ALL OF THE FOLLOWING:

13 (A) ACTUAL DAMAGES TO THE INDIVIDUAL WHO IS PREVENTED FROM
14 CARRYING OR DISPLAYING THE SIGN OR MESSAGE OR LIQUIDATED DAMAGES OF
15 \$100.00.

16 (B) COSTS AND REASONABLE ATTORNEY FEES.

17 (C) A CIVIL FINE OF \$500.00.