

HOUSE BILL No. 6610

November 14, 2006, Introduced by Rep. Kolb and referred to the Committee on Tax Policy.

A bill to amend 1893 PA 206, entitled
"The general property tax act,"
(MCL 211.1 to 211.157) by adding section 7kk.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 7KK. (1) THE GOVERNING BODY OF A LOCAL TAX COLLECTING
2 UNIT MAY ADOPT A RESOLUTION TO EXEMPT FROM THE COLLECTION OF TAXES
3 UNDER THIS ACT ALL ELIGIBLE ORGANIC AGRICULTURAL PROPERTY
4 DESIGNATED IN THE RESOLUTION. THE CLERK OF THE LOCAL TAX COLLECTING
5 UNIT SHALL NOTIFY IN WRITING THE ASSESSOR OF THE LOCAL TAX
6 COLLECTING UNIT IN WHICH THE ELIGIBLE ORGANIC AGRICULTURAL PROPERTY
7 IS LOCATED AND THE LEGISLATIVE BODY OF EACH TAXING UNIT THAT LEVIES
8 AD VALOREM PROPERTY TAXES IN THE LOCAL TAX COLLECTING UNIT IN WHICH

1 THE ELIGIBLE ORGANIC AGRICULTURAL PROPERTY IS LOCATED. BEFORE
2 ACTING ON THE RESOLUTION, THE GOVERNING BODY OF THE LOCAL TAX
3 COLLECTING UNIT SHALL AFFORD THE ASSESSOR AND A REPRESENTATIVE OF
4 THE AFFECTED TAXING UNITS AN OPPORTUNITY FOR A HEARING.

5 (2) THE EXEMPTION UNDER THIS SECTION IS EFFECTIVE ON THE
6 DECEMBER 31 IMMEDIATELY SUCCEEDING THE ADOPTION OF THE RESOLUTION
7 BY THE GOVERNING BODY OF THE LOCAL TAX COLLECTING UNIT AND SHALL
8 CONTINUE IN EFFECT FOR A PERIOD SPECIFIED IN THE RESOLUTION.
9 HOWEVER, A LOCAL TAX COLLECTING UNIT MAY TERMINATE THE EXEMPTION
10 UNDER THIS SECTION IF 1 YEAR'S WRITTEN NOTICE IS PROVIDED TO THE
11 OWNERS OF ALL ELIGIBLE ORGANIC AGRICULTURAL PROPERTY EXEMPT UNDER
12 THIS SECTION. A COPY OF THE RESOLUTION SHALL BE FILED WITH THE
13 DEPARTMENT OF AGRICULTURE. A RESOLUTION IS NOT EFFECTIVE UNLESS
14 APPROVED BY THE DEPARTMENT OF AGRICULTURE AS PROVIDED IN SUBSECTION
15 (3).

16 (3) NOT MORE THAN 60 DAYS AFTER RECEIPT OF A COPY OF THE
17 RESOLUTION ADOPTED UNDER SUBSECTION (1), THE DEPARTMENT OF
18 AGRICULTURE SHALL VERIFY ORGANIC CERTIFICATION AND REGISTRATION OF
19 THE ELIGIBLE ORGANIC AGRICULTURAL PROPERTY AND APPROVE OR
20 DISAPPROVE THE RESOLUTION.

21 (4) IF A RESOLUTION EXEMPTING ELIGIBLE ORGANIC AGRICULTURAL
22 PROPERTY IS ADOPTED UNDER SUBSECTION (1) AND APPROVED UNDER
23 SUBSECTION (3), THE LOCAL TAX COLLECTING UNIT SHALL ANNUALLY REPORT
24 TO THE DEPARTMENT OF TREASURY THE AMOUNT OF TAX REVENUE FORGONE AS
25 A RESULT OF THE EXEMPTION.

26 (5) AS USED IN THIS SECTION, "ELIGIBLE ORGANIC AGRICULTURAL
27 PROPERTY" MEANS REAL PROPERTY CLASSIFIED AS AGRICULTURAL REAL

1 PROPERTY UNDER SECTION 34C THAT IS ANNUALLY CERTIFIED BY A UNITED
2 STATES DEPARTMENT OF AGRICULTURE OR NATIONAL ORGANIC PROGRAM
3 ACCREDITED CERTIFYING AGENCY AND ANNUALLY REGISTERED AS AN ORGANIC
4 PRODUCER WITH THE DEPARTMENT OF AGRICULTURE.

5 Enacting section 1. This amendatory act takes effect January
6 1, 2007.