

# SENATE BILL No. 1334

May 12, 2010, Introduced by Senators OLSHOVE, BASHAM, JACOBS, CHERRY, ANDERSON, ALLEN and HUNTER and referred to the Committee on Senior Citizens and Veterans Affairs.

A bill to amend 1992 PA 147, entitled  
"Neighborhood enterprise zone act,"  
by amending section 2 (MCL 207.772), as amended by 2010 PA 9.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 2. As used in this act:

2       (a) "Commission" means the state tax commission created by  
3       1927 PA 360, MCL 209.101 to 209.107.

4       (b) "Condominium unit" means that portion of a structure  
5       intended for separate ownership, intended for residential use, and  
6       established pursuant to the condominium act, 1978 PA 59, MCL  
7       559.101 to 559.276. Condominium units within a qualified historic  
8       building may be held under common ownership.

9       (c) "Developer" means a person who is the owner of a new

1 facility at the time of construction or of a rehabilitated facility  
2 at the time of rehabilitation for which a neighborhood enterprise  
3 zone certificate is applied for or issued.

4 (D) "ELDER-FRIENDLY DWELLING" MEANS A RESIDENTIAL DWELLING  
5 THAT INCLUDES 1 OR MORE OF THE FOLLOWING:

6 (i) NO STEP ENTRIES.

7 (ii) ONE-LEVEL LIVING.

8 (iii) DOOR WIDTHS THAT ARE 32 INCHES OR GREATER.

9 (iv) HALLWAYS THAT ARE 36 INCHES IN WIDTH OR GREATER.

10 (v) DOOR THRESHOLDS THAT ARE FLUSH WITH THE FLOOR.

11 (vi) USE OF LEVER DOOR HANDLES AND ROCKER-TYPE LIGHT SWITCHES.

12 (E) ~~(d)~~—"Facility" means a homestead facility, a new facility,  
13 or a rehabilitated facility.

14 (F) ~~(e)~~—"Homestead facility" means 1 of the following:

15 (i) An existing structure, purchased by or transferred to an  
16 owner after December 31, 1996, that has as its primary purpose  
17 residential housing consisting of 1 or 2 units, 1 of which is  
18 occupied by an owner as his or her principal residence and that is  
19 located within a subdivision platted pursuant to state law before  
20 January 1, 1968 other than an existing structure for which a  
21 certificate will or has been issued after December 31, 2006 in a  
22 city with a population of 750,000 or more, is located within a  
23 subdivision platted pursuant to state law before January 1, 1968.

24 (ii) An existing structure that has as its primary purpose  
25 residential housing consisting of 1 or 2 units, 1 of which is  
26 occupied by an owner as his or her principal residence that is  
27 located in a subdivision platted after January 1, 1999 and is

1 located in a county with a population of more than 400,000 and less  
2 than 500,000 according to the most recent decennial census and is  
3 located in a city with a population of more than 100,000 and less  
4 than 125,000 according to the most recent decennial census.

5 (G) ~~(F)~~—"Local governmental unit" means a qualified local  
6 governmental unit as that term is defined under section 2 of the  
7 obsolete property rehabilitation act, 2000 PA 146, MCL 125.2782, or  
8 a county seat.

9 (H) ~~(G)~~—"New facility" means 1 or both of the following:

10 (i) A new structure or a portion of a new structure that has as  
11 its primary purpose residential housing consisting of 1 or 2 units,  
12 1 of which is or will be occupied by an owner as his or her  
13 principal residence. New facility includes a model home or a model  
14 condominium unit. New facility includes a new individual  
15 condominium unit, in a structure with 1 or more condominium units,  
16 that has as its primary purpose residential housing and that is or  
17 will be occupied by an owner as his or her principal residence.  
18 Except as provided in subparagraph (ii), new facility does not  
19 include apartments.

20 (ii) A new structure or a portion of a new structure that meets  
21 all of the following:

22 (A) Is rented or leased or is available for rent or lease.

23 (B) Is a mixed use building or located in a mixed use building  
24 that contains retail business space on the street level floor.

25 (C) Is located in a qualified downtown revitalization  
26 district.

27 (I) ~~(H)~~—"Neighborhood enterprise zone certificate" or

1 "certificate" means a certificate issued pursuant to sections 4, 5,  
2 and 6.

3 (J) ~~(i)~~—"Owner" means the record title holder of, or the  
4 vendee of the original land contract pertaining to, a new facility,  
5 a homestead facility, or a rehabilitated facility for which a  
6 neighborhood enterprise zone certificate is applied for or issued.

7 (K) ~~(j)~~—"Qualified assessing authority" means 1 of the  
8 following:

9 (i) For a facility other than a homestead facility, the  
10 commission.

11 (ii) For a homestead facility, the assessor of the local  
12 governmental unit in which the homestead facility is located.

13 (L) ~~(k)~~—"Qualified downtown revitalization district" means an  
14 area located within 1 or more of the following:

15 (i) The boundaries of a downtown district as defined in section  
16 1 of 1975 PA 197, MCL 125.1651.

17 (ii) The boundaries of a principal shopping district or a  
18 business improvement district as defined in section 1 of 1961 PA  
19 120, MCL 125.981.

20 (iii) The boundaries of the local governmental unit in an area  
21 that is zoned and primarily used for business as determined by the  
22 local governmental unit.

23 (M) ~~(l)~~—"Qualified historic building" means a property within a  
24 neighborhood enterprise zone that has been designated a historic  
25 resource as defined under section 266 of the income tax act of  
26 1967, 1967 PA 281, MCL 206.266.

27 (N) ~~(m)~~—"Rehabilitated facility" means an existing structure

1 or a portion of an existing structure with a current true cash  
2 value of \$80,000.00 or less per unit that has or will have as its  
3 primary purpose residential housing, consisting of 1 to 8 units,  
4 the owner of which proposes improvements that if done by a licensed  
5 contractor would cost in excess of \$5,000.00 per owner-occupied  
6 unit or 50% of the true cash value, whichever is less, or \$7,500.00  
7 per nonowner-occupied unit or 50% of the true cash value, whichever  
8 is less, or the owner proposes improvements that would be done by  
9 the owner and not a licensed contractor and the cost of the  
10 materials would be in excess of \$3,000.00 per owner-occupied unit  
11 or \$4,500.00 per nonowner-occupied unit and will bring the  
12 structure into conformance with minimum local building code  
13 standards for occupancy or improve the livability of the units  
14 while meeting minimum local building code standards. Rehabilitated  
15 facility also includes an individual condominium unit, in a  
16 structure with 1 or more condominium units that has as its primary  
17 purpose residential housing, **OR AN ELDER-FRIENDLY DWELLING THAT HAS**  
18 **AS ITS PRIMARY PURPOSE RESIDENTIAL HOUSING**, the owner of which  
19 proposes the ~~above-described-improvements~~ **DESCRIBED IN THE**  
20 **IMMEDIATELY PRECEDING SENTENCE**. Rehabilitated facility also  
21 includes existing or proposed condominium units in a qualified  
22 historic building with 1 or more existing or proposed condominium  
23 units. Rehabilitated facility does not include a facility  
24 rehabilitated with the proceeds of an insurance policy for property  
25 or casualty loss. A qualified historic building may contain  
26 multiple rehabilitated facilities.