

# HOUSE BILL No. 4185

February 5, 2013, Introduced by Rep. Haines and referred to the Committee on Tax Policy.

A bill to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to prescribe the powers and duties of certain local government officials; and to provide penalties.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the  
2       "adverse construction specific tax act".

3       Sec. 2. As used in this act:

4       (a) "Commission" means the state tax commission created by  
5       1927 PA 360, MCL 209.101 to 209.107.

6       (b) "Construction project" and "eligible business" mean those  
7       terms as defined in section 700 of the general property tax act,  
8       1893 PA 206, MCL 211.700.

1 (c) "Taxable value" means the taxable value as determined  
2 under section 27a of the general property tax act, 1893 PA 206, MCL  
3 211.27a.

4 Sec. 3. Real and personal property of an eligible business is  
5 exempt from ad valorem property taxes collected under the general  
6 property tax act, 1893 PA 206, MCL 211.1 to 211.155, as provided  
7 under section 700 of the general property tax act, 1893 PA 206, MCL  
8 211.700.

9 Sec. 4. The assessor of each local tax collecting unit in  
10 which there is property of an eligible business exempt under  
11 section 700 of the general property tax act, 1893 PA 206, MCL  
12 211.700, shall determine annually as of December 31 the value and  
13 taxable value of each parcel of that property located in that local  
14 tax collecting unit.

15 Sec. 5. (1) There is levied upon the owner of every parcel of  
16 property of an eligible business exempt under section 700 of the  
17 general property tax act, 1893 PA 206, MCL 211.700, a specific tax  
18 to be known as the adverse construction specific tax.

19 (2) The amount of the adverse construction specific tax in  
20 each year shall be determined by multiplying 50% of the number of  
21 mills that would be assessed in the local tax collecting unit if  
22 the property were subject to the collection of taxes under the  
23 general property tax act, 1893 PA 206, MCL 211.1 to 211.155, by the  
24 property's taxable value.

25 (3) The adverse construction specific tax is an annual tax,  
26 payable at the same times, in the same installments, and to the  
27 same collecting officer or officers as taxes collected under the

1 general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

2 (4) The collecting officer or officers shall disburse the  
3 adverse construction specific tax to and among this state and  
4 cities, townships, villages, school districts, counties, or other  
5 taxing units, at the same times and in the same proportions as  
6 required by law for the disbursement of taxes collected under the  
7 general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

8 (5) The collecting officer or officers shall send a copy of  
9 the amount of disbursement made to each taxing unit under this  
10 section to the commission on a form provided by the commission.

11 (6) Real and personal property of an eligible business that is  
12 located in a renaissance zone under the Michigan renaissance zone  
13 act, 1996 PA 376, MCL 125.2681 to 125.2696, is exempt from the  
14 adverse construction specific tax levied under this act to the  
15 extent and for the duration provided pursuant to the Michigan  
16 renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, except  
17 for that portion of the adverse construction specific tax  
18 attributable to a tax described in section 7ff(2) of the general  
19 property tax act, 1893 PA 206, MCL 211.7ff. The adverse  
20 construction specific tax calculated under this subsection shall be  
21 disbursed proportionately to the taxing unit or units that levied  
22 the tax described in section 7ff(2) of the general property tax  
23 act, 1893 PA 206, MCL 211.7ff.

24 Sec. 6. Unpaid adverse construction specific taxes are subject  
25 to forfeiture, foreclosure, and sale in the same manner and at the  
26 same time as taxes returned as delinquent under the general  
27 property tax act, 1893 PA 206, MCL 211.1 to 211.155.

1           Enacting section 1. This act does not take effect unless  
2   Senate Bill No. \_\_\_\_ or House Bill No. 4184(request no. 00271'13)  
3   of the 97th Legislature is enacted into law.