

HOUSE BILL NO. 4557

May 02, 2019, Introduced by Reps. Brixie, Ellison, Hope, Paquette and Lilly and referred to the Committee on Commerce and Tourism.

A bill to amend 1974 PA 263, entitled

"An act to permit counties to impose and collect an excise tax on persons engaged in the business of providing rooms for dwelling, lodging, or sleeping purposes to transient guests; to provide for the disposition of the revenues thereof; and to prescribe penalties,"

by amending sections 1 and 2 (MCL 141.861 and 141.862), section 2 as amended by 2004 PA 118.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:



JLB



H02264'19

1 (a) "Accommodations" means ~~the~~^a room or other space provided
2 for sleeping, including furnishings and other accessories therein.
3 Accommodations do not include food and beverages.

4 (b) "Administrator" means the official designated by the
5 county to collect the tax and to administer and enforce the
6 ordinance.

7 (c) "Convention and entertainment facilities" means all or any
8 part, or any combination of convention halls, auditoriums,
9 stadiums, music halls, arenas, meeting rooms, exhibit areas, and
10 related public areas.

11 (d) "Person" means a natural person, partnership, fiduciary,
12 association, corporation, or other entity.

13 (e) "Revenues" means the income derived from the tax, plus
14 interest and penalties imposed by this act, levied and assessed
15 under an ordinance adopted pursuant to this act.

16 (f) **"Short-term rentals" and "short-term transient facilities"**
17 **mean those terms as defined in the Michigan short-term rental**
18 **promotion act.**

19 (g) ~~(f)~~—"Transient guest" means a natural person staying less
20 than 30 consecutive days.

21 Sec. 2. (1) The county board of commissioners of a county
22 having a population of less than 600,000 persons, and having a city
23 of at least 40,000 population may enact an ordinance to levy,
24 assess, and collect an excise tax **on short-term rentals of short-**
25 **term transient facilities and** from all persons engaged in the
26 business of providing rooms for dwelling, lodging, or sleeping
27 purposes, except in hospitals or nursing homes, to transient
28 guests, whether or not membership is required for the use of the
29 accommodations.



1 (2) If a county meets the requirements of subsection (1) on
2 the date it enacts an ordinance under this act and, after the 1990
3 decennial census, the county has a population of less than 120,000
4 persons and has a city with a population of 35,000 or more persons,
5 that county may continue to levy, assess, and collect the excise
6 tax under this act until October 1, 1991.

7 (3) If a county described in subsection (2) has any
8 accommodations located within the county that are also located
9 within the boundaries of a city in which the majority of the
10 population of that city reside in an adjoining county, then the
11 accommodation is exempt from the tax under this act.

12 (4) If a county described in subsection (2) has any
13 accommodations located within the county that are also located
14 within the boundaries of a city with a population of less than
15 5,000 persons, then the accommodation is exempt from tax under this
16 act.

17 (5) The ordinance provided by this act may be amended or
18 repealed in the same manner as it was adopted.

19 (6) The tax imposed pursuant to this act shall be at a rate of
20 not more than 5% of the total charge for accommodations subject to
21 this act.

22 (7) If a county meets the requirements of subsection (1) on
23 the date it enacts an ordinance under this act, the county may
24 continue to levy, assess, and collect the excise tax under this
25 act.

26 Enacting section 1. This amendatory act does not take effect
27 unless Senate Bill No.____ or House Bill No.____ (request no.
28 01509'19) of the 100th Legislature is enacted into law.

