

HOUSE BILL No. 4309

February 23, 1989, Introduced by Reps. Gire, Jondahl, O'Neill, Scott, Oxender, Nye, Keith, Barns, Porreca, Hunter, Murphy, Knight, Bankes, Johnson, Miller, Saunders, Kilpatrick, DeBeaussaert, Rocca, Griffin, Clack and DeMars and referred to the Committee on Taxation.

A bill to amend Act No. 167 of the Public Acts of 1933, entitled as amended

"General sales tax act,"

as amended, being sections 205.51 to 205.78 of the Michigan Compiled Laws, by adding section 4m.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 167 of the Public Acts of 1933, as
2 amended, being sections 205.51 to 205.78 of the Michigan Compiled
3 Laws, is amended by adding section 4m to read as follows:

4 SEC. 4M. (1) BEGINNING JULY 1, 1989, A PERSON SELLING ELEC-
5 TRICITY OR HEATING FUEL SUBJECT TO TAX UNDER THIS ACT MAY EXCLUDE
6 FROM GROSS PROCEEDS USED FOR THE COMPUTATION OF THE TAX THAT POR-
7 TION OF THE GROSS PROCEEDS RECEIVED FROM THE SALE OF ELECTRICITY
8 OR HEATING FUEL PROVIDED AND BILLED TO EACH RESIDENTIAL CUSTOMER
9 WITH A HOUSEHOLD INCOME LESS THAN 150% OF THE FEDERAL POVERTY

1 INCOME STANDARDS AS DEFINED AND DETERMINED ANNUALLY BY THE UNITED
2 STATES OFFICE OF MANAGEMENT AND BUDGET AS CERTIFIED BY THE
3 DEPARTMENT. THE DEPARTMENT OF TREASURY SHALL PROMULGATE RULES
4 PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT
5 NO. 306 OF THE PUBLIC ACTS OF 1969, BEING SECTIONS 24.201 TO
6 24.328 OF THE MICHIGAN COMPILED LAWS, REGARDING THE IMPLEMENTA-
7 TION OF THIS SECTION.

8 (2) AS USED IN THIS SECTION, "HOUSEHOLD INCOME" MEANS THAT
9 TERM AS DEFINED IN SECTION 508 OF THE INCOME TAX ACT OF 1967, ACT
10 NO. 281 OF THE PUBLIC ACTS OF 1967, BEING SECTION 206.508 OF THE
11 MICHIGAN COMPILED LAWS.

12 Section 2. This amendatory act shall not take effect unless
13 House Joint Resolution B of the 85th Legislature becomes a part
14 of the constitution as provided in section 1 of article XII of
15 the state constitution of 1963.