

Act No. 70
Public Acts of 1991
Approved by the Governor
July 8, 1991
Filed with the Secretary of State
July 8, 1991

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1991**

Introduced by Rep. Webb

ENROLLED HOUSE BILL No. 4268

AN ACT to amend section 25 of Act No. 167 of the Public Acts of 1933, entitled as amended "An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act," as amended by Act No. 259 of the Public Acts of 1987, being section 205.75 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 25 of Act No. 167 of the Public Acts of 1933, as amended by Act No. 259 of the Public Acts of 1987, being section 205.75 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 25. (1) All sums of money received and collected under this act shall be deposited by the department in the state treasury to the credit of the general fund, except as provided in this section.

(2) Fifteen percent of the collections shall be distributed to cities, villages, and townships pursuant to the state revenue sharing act of 1971, Act No. 140 of the Public Acts of 1971, being sections 141.901 to 141.921 of the Michigan Compiled Laws.

(3) Sixty percent of the collections shall be transferred to the state school aid fund created by section 11 of article IX of the state constitution of 1963 and distributed as provided by law.

(4) For the fiscal year ending September 30, 1988 and each fiscal year thereafter, of the 25% of the collections of the general sales tax imposed directly or indirectly on fuels sold to propel motor vehicles upon highways, on the sale of motor vehicles, and on the sale of the parts and accessories of motor vehicles by new and used car businesses, used car businesses, accessory dealer businesses, and gasoline station businesses as classified by the department of treasury remaining after the allocations and distributions are made pursuant to subsections (2) and (3), the following amounts shall be deposited each year into the respective funds:

(a) Not less than 27.9% to the comprehensive transportation fund. However, for the fiscal year ending September 30, 1991 only, the amount to be deposited in the comprehensive transportation fund shall be reduced by \$1,500,000.00.

(b) The balance to the state general fund.

(5) After the allocations and distributions are made pursuant to subsections (2) and (3), an amount equal to the collections of the tax imposed by this act from the sale at retail of computer software as defined in section 1 shall be deposited in the Michigan health initiative fund created in section 5911 of the public health code, Act No. 368 of the Public Acts of 1978, being section 333.5911 of the Michigan Compiled Laws and shall be considered in addition to, and is not intended as a replacement for any other money appropriated to the department of public health. The funds deposited in the Michigan health initiative fund on an annual basis shall not be less than \$9,000,000.00 or more than \$12,000,000.00.

(6) The balance in the state general fund shall be disbursed only on an appropriation or appropriations by the legislature.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved

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Governor.