

HOUSE BILL No. 4879

May 28, 1991, Introduced by Reps. Oxender, Kosteva, McNutt, Dobb, Middaugh, Munsell, Dalman, Van Singel, Hunter, Shugars, Profit, Strand, Middleton, Walberg and Jaye and referred to the Committee on Taxation.

A bill to amend Act No. 281 of the Public Acts of 1967,
entitled

"Income tax act of 1967,"

as amended, being sections 206.1 to 206.532 of the Michigan
Compiled Laws, by adding section 264.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 281 of the Public Acts of 1967, as
2 amended, being sections 206.1 to 206.532 of the Michigan Compiled
3 Laws, is amended by adding section 264 to read as follows:

4 SEC. 264. (1) A TAXPAYER MAY CREDIT AGAINST THE TAX IMPOSED
5 BY THIS ACT AN AMOUNT EQUAL TO 20% OF THE AMOUNT THE TAXPAYER
6 CONTRIBUTES DURING THE TAXABLE YEAR TO AN EDUCATIONAL FACILITY OR
7 A FINE ARTS FACILITY OR ORGANIZATION.

8 (2) FOR A TAXPAYER OTHER THAN A RESIDENT ESTATE OR TRUST,
9 THE CREDIT ALLOWED BY THIS SECTION SHALL NOT EXCEED \$100.00, OR

1 \$200.00 FOR A HUSBAND AND WIFE FILING A JOINT RETURN. FOR A
2 RESIDENT ESTATE OR TRUST, THE CREDIT ALLOWED BY THIS SECTION
3 SHALL NOT EXCEED THE LESSER OF 10% OF THE TAXPAYER'S TAX LIABIL-
4 ITY FOR THE TAX YEAR BEFORE CLAIMING ANY CREDITS ALLOWED BY THIS
5 ACT OR \$5,000.00.

6 (3) IF THE CREDIT ALLOWED UNDER THIS SECTION EXCEEDS THE TAX
7 LIABILITY OF THE TAXPAYER FOR THE TAX YEAR, THAT PORTION OF THE
8 CREDIT THAT EXCEEDS THE TAX LIABILITY SHALL BE REFUNDED.

9 (4) AS USED IN THIS SECTION:

10 (A) "EDUCATIONAL FACILITY" MEANS ALL OF THE FOLLOWING:

11 (i) A SCHOOL DISTRICT AS DEFINED IN THE SCHOOL CODE OF 1976,
12 ACT NO. 451 OF THE PUBLIC ACTS OF 1976, BEING SECTIONS 380.1 TO
13 380.1852 OF THE MICHIGAN COMPILED LAWS.

14 (ii) A COMMUNITY EDUCATION, ADULT EDUCATION, OR CONTINUING
15 EDUCATION PROGRAM OPERATED BY A SCHOOL DISTRICT.

16 (iii) A PRIVATE SCHOOL.

17 (iv) AN INSTITUTION OF HIGHER EDUCATION.

18 (v) AN EDUCATIONAL FOUNDATION.

19 (vi) A PRIVATE COLLEGE OR UNIVERSITY.

20 (B) "FINE ARTS FACILITY OR ORGANIZATION" MEANS A FACILITY OR
21 ORGANIZATION THE PRINCIPAL PURPOSE OF WHICH IS TO PROMOTE FINE
22 ARTS AND THAT THE DEPARTMENT CERTIFIES IS EXEMPT FROM FEDERAL
23 INCOME TAXATION UNDER SECTION 501(c)(3) OF THE INTERNAL REVENUE
24 CODE, IS REGISTERED OR LICENSED UNDER THE CHARITABLE ORGANI-
25 ZATIONS AND SOLICITATIONS ACT, ACT NO. 169 OF THE PUBLIC ACTS OF
26 1975, BEING SECTIONS 400.271 TO 400.294 OF THE MICHIGAN COMPILED
27 LAWS, AND IS 1 OF THE FOLLOWING:

1 (i) AN ART INSTITUTE, SCHOOL, MUSEUM, OR OTHER VISUAL ARTS
2 FACILITY OR ORGANIZATION.

3 (ii) A SYMPHONY, OPERA HOUSE, OR OTHER MUSICAL ARTS FACILITY
4 OR ORGANIZATION.

5 (iii) A THEATRE OR OTHER THEATRICAL, DANCE, OR PERFORMING
6 ARTS FACILITY OR ORGANIZATION.

7 (iv) A LITERARY ARTS FACILITY OR ORGANIZATION.

8 (c) "INSTITUTION OF HIGHER EDUCATION" MEANS A COLLEGE, UNI-
9 VERSITY, COMMUNITY COLLEGE, OR JUNIOR COLLEGE DESCRIBED IN SEC-
10 TION 4, 5, OR 6 OF ARTICLE VIII OF THE STATE CONSTITUTION OF 1963
11 OR ESTABLISHED UNDER SECTION 7 OF ARTICLE VIII OF THE STATE CON-
12 STITUTION OF 1963.