

Act No. 391
Public Acts of 1994
Approved by the Governor
December 29, 1994
Filed with the Secretary of State
December 29, 1994

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994**

Introduced by Senators Schwarz Cisky Vaughn Arthurhultz Cherry Dingell and Kelly

ENROLLED SENATE BILL No. 1037

AN ACT to amend sections 4 and 12 of Act No. 147 of the Public Acts of 1992 entitled An act to provide for the development and rehabilitation of residential housing to provide for the creation of neighborhood enterprise zones to provide for obtaining neighborhood enterprise zone certificates for a period of time and to prescribe the contents of the certificates to provide for the exemption of certain taxes to provide for the levy and collection of a specific tax on the owner of certain facilities and to prescribe the powers and duties of certain officers of the state and local governmental units being sections 207 774 and 207 782 of the Michigan Compiled Laws

The People of the State of Michigan enact

Section 1 Sections 4 and 12 of Act No. 147 of the Public Acts of 1992 being sections 207 774 and 207 782 of the Michigan Compiled Laws are amended to read as follows

Sec 4 The owner or developer or prospective owner or developer of a proposed new facility or an owner or developer or prospective developer proposing to rehabilitate property located in a neighborhood enterprise zone may file an application for a neighborhood enterprise zone certificate with the clerk of the local governmental unit. The application shall be filed in the manner and form prescribed by the commission before a building permit is issued for the new construction or rehabilitation of the facility. However, the application may be filed after a building permit is issued for the rehabilitation of the facility if the area in which the facility is located is designated as a neighborhood enterprise zone by the governing body of the local governmental unit in the calendar year 1992 and if the building permit is issued for the rehabilitation before December 31, 1994 and after the date on which the area in which the facility is located was designated as a neighborhood enterprise zone by the governing body of the local governmental unit. The application shall contain or be accompanied by a general description of the new facility or proposed rehabilitated facility, the dimensions of the parcel on which the new facility or proposed rehabilitated facility is or is to be located, the general nature and extent of the construction to be undertaken, a time schedule for undertaking and completing the rehabilitation of property or the construction of the new facility, and any other information required by the local governmental unit.

Sec 12 (1) Unless earlier revoked as provided in section 11, a neighborhood enterprise zone certificate shall remain in effect until 12 years from the effective date of the certificate. If the new facility or rehabilitated facility is sold or transferred to another owner who files an affidavit required by section 10(2) and for a new facility uses the new facility as a principal residence, the certificate shall remain in effect.

(2) If a rehabilitated facility was sold before the effective date of the amendatory act that added this subsection and a certificate was in effect for that facility at the time of the sale, the new owner of the rehabilitated facility may file the same affidavit as required by section 10(2) and the certificate shall be reinstated and remain in effect for the remainder of the original 12 year period unless earlier revoked under section 11.

This act is ordered to take immediate effect

Secretary of the Senate

Co Clerk of the House of Representatives

Approved

Governor