



HOUSE BILL No. 5942

November 10 1994 Introduced by Reps Brackenridge Profit and Bullard and referred to the Committee on Taxation

A bill to amend section 12 of Act No 255 of the Public Acts of 1978, entitled

Commercial redevelopment act,

as amended by Act No 340 of the Public Acts of 1993, being section 207 662 of the Michigan Compiled Laws and to repeal certain parts of the act

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 12 of Act No 255 of the Public Acts of
2 1978 as amended by Act No 340 of the Public Acts of 1993 being
3 section 207 662 of the Michigan Compiled Laws, is amended to read
4 as follows

5 Sec 12 (1) There is levied upon every owner of a new,
6 replacement, or restored facility to which a commercial
7 facilities exemption certificate is issued a specific tax to be
8 known as the commercial facilities tax

1 (2) The amount of the commercial facilities tax, in each
2 year, in the case of a restored facility shall be determined by
3 multiplying the total mills levied as ad valorem taxes for that
4 year by all taxing units within which the facility is located by
5 the state equalized valuation of the obsolete commercial property
6 for the tax year immediately preceding the effective date of the
7 commercial facilities exemption certificate after deducting the
8 state equalized valuation of the land and of personal property
9 other than personal property assessed pursuant to section 14(6)
10 of the general property tax act Act No 206 of the Public Acts
11 of 1893, as amended, being section 211 14 of the Michigan
12 Compiled Laws

13 (3) The amount of the commercial facilities tax, in each
14 year, in the case of a new or replacement facility shall be
15 determined by multiplying the state equalized valuation of the
16 facility excluding the land and personal property other than per-
17 sonal property assessed pursuant to section 14(6) of Act No 206
18 of the Public Acts of 1893 as amended being section 211 14 of
19 the Michigan Compiled Laws, by the sum of 1/2 of the total mills
20 levied as ad valorem taxes for that year by all taxing units
21 within which the facility is located other than mills levied for
22 school operating purposes by a local or intermediate school dis-
23 trict within which the facility is located or mills levied under
24 the state education tax act, ACT NO 331 OF THE PUBLIC ACTS OF
25 1993, BEING SECTIONS 211 901 TO 211 906 OF THE MICHIGAN COMPILED
26 LAWS, plus 1/2 of the number of mills levied for school operating
27 purposes in 1993

1 (4) The commercial facilities tax shall be collected
2 disbursed and assessed in accordance with this act

3 (5) The commercial facilities tax is an annual tax payable
4 at the same times, in the same installments, and to the same
5 officer or officers as taxes imposed under Act No 206 of the
6 Public Acts of 1893, as amended, being sections 211 1 to 211 157
7 of the Michigan Compiled Laws are payable Except as otherwise
8 provided in this section, the officer or officers shall disburse
9 the commercial facilities tax payments received by the officer or
10 officers each year to and among the state, cities, townships,
11 villages school districts counties and authorities at the
12 same times and in the same proportions as required by law for the
13 disbursement of taxes collected under Act No 206 of the Public
14 Acts of 1893, as amended TO DETERMINE THE PROPORTION FOR THE
15 DISBURSEMENT OF TAXES UNDER THIS SUBSECTION AND FOR ATTRIBUTION
16 OF TAXES UNDER SUBSECTION (7) FOR TAXES COLLECTED PURSUANT TO
17 INDUSTRIAL FACILITIES EXEMPTION CERTIFICATES ISSUED BEFORE
18 JANUARY 1 1994, THE NUMBER OF MILLS LEVIED FOR LOCAL SCHOOL DIS-
19 TRICT OPERATING PURPOSES TO BE USED IN THE CALCULATION SHALL
20 EQUAL THE NUMBER OF MILLS FOR LOCAL SCHOOL DISTRICT OPERATING
21 PURPOSES LEVIED IN 1993

22 (6) Except as provided in subsection ~~7~~ (7), for intermedi-
23 ate school districts receiving state aid under sections 56, 62,
24 and 81(1) of the state school aid act of 1979, Act No 94 of the
25 Public Acts of 1979 being sections 388 1656, 388 1662, and
26 388 1681 of the Michigan Compiled Laws of the amount that would
27 otherwise be disbursed to an intermediate school district, all or

1 a portion, to be determined on the basis of the tax rates being
2 utilized to compute the amount of state aid shall be paid to the
3 state treasury to the credit of the state school aid fund estab-
4 lished by section 11 of article IX of the state constitution of
5 1963 If the sum of any industrial facility taxes prescribed by
6 Act No 198 of the Public Acts of 1974, being sections 207 551 to
7 ~~207-571~~ 207 572 of the Michigan Compiled Laws and the commer-
8 cial facilities taxes paid to the state treasury to the credit of
9 the state school aid fund that would otherwise be disbursed to
10 the local or intermediate school district pursuant to section 11
11 of Act No 198 of the Public Acts of 1974, being section 207 561
12 of the Michigan Compiled Laws, and this section, exceeds the
13 amount received by the local or intermediate school district
14 under sections 56, 62 and 81(1) of Act No 94 of the Public Acts
15 of 1979, the department of treasury shall allocate to each eligi-
16 ble local or intermediate school district an amount equal to the
17 difference between the sum of the industrial facility taxes and
18 the commercial facilities taxes paid to the state treasury to the
19 credit of the state school aid fund and the amount the local or
20 intermediate school district received under sections 56, 62, and
21 81(1) of Act No 94 of the Public Acts of 1979 This subsection
22 applies to taxes levied before 1994

23 (7) Beginning in 1994, the amount to be disbursed to a local
24 school district, except for that amount of tax attributable to
25 mills levied UNDER SECTION 1211(2) OR 1211C OF THE SCHOOL CODE OF
26 1976, ACT NO 451 OF THE PUBLIC ACTS OF 1976, BEING SECTIONS
27 380 1211 AND 380 1211C OF THE MICHIGAN COMPILED LAW AND MILLS

1 THAT ARE NOT INCLUDED AS MILLS LEVIED FOR SCHOOL OPERATING
2 PURPOSES under section ~~+211(3)~~ 1211 of ~~the school code of~~
3 ~~+1976~~ Act No 451 of the Public Acts of 1976 being
4 section 380 1211 of the Michigan Compiled Laws, shall be paid to
5 the state treasury and credited to the state school aid fund
6 established by section 11 of article IX of the state constitution
7 of 1963

8 (8) The officer or officers shall send a copy of the amount
9 of disbursement made to each unit under this section to the com-
10 mission on a form provided by the commission

11 Section 2 Section 12a of Act No 255 of the Public Acts of
12 1978, being section 207 662a of the Michigan Compiled Laws is
13 repealed