



# SENATE BILL No. 601

May 4, 1993, Introduced by Senator EMMONS and referred to  
to the Committee on Finance.

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. 135 of the Public Acts of 1984, being sec-  
tion 207.662 of the Michigan Compiled Laws.

## 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. 135 of the Public Acts of 1984, 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 facili-  
7 ties exemption certificate is issued a specific tax to be known  
8 as the commercial facilities tax.

1       (2) The amount of the commercial facilities tax ~~—~~ in each  
2 year ~~—, in the case of~~ FOR a restored facility shall be  
3 determined by multiplying the total mills levied as ad valorem  
4 taxes for that year by all taxing units within which the facility  
5 is situated by the state equalized valuation of the obsolete com-  
6 mercial property for the tax year immediately preceding the  
7 effective date of the commercial facilities exemption certificate  
8 after deducting the state equalized valuation of the land and of  
9 personal property other than personal property assessed pursuant  
10 to section 14(6) of THE GENERAL PROPERTY TAX ACT, Act No. 206 of  
11 the Public Acts of 1893, as amended, being section 211.14 of the  
12 Michigan Compiled Laws.

13       (3) The amount of the commercial facilities tax ~~—~~ in each  
14 year ~~—, in the case of~~ FOR a new or replacement facility shall  
15 be determined by multiplying 1/2 of the total mills levied as ad  
16 valorem taxes for that year by all taxing units within which the  
17 facility is situated by the state equalized valuation of the  
18 facility excluding the land and personal property other than per-  
19 sonal property assessed pursuant to section 14(6) of Act No. 206  
20 of the Public Acts of 1893, as amended.

21       (4) The commercial facilities tax shall be collected, dis-  
22 bursed, and assessed in accordance with this act.

23       (5) The commercial facilities tax shall be an annual tax,  
24 payable at the same times, in the same installments, and to the  
25 same officer or officers as taxes imposed under THE GENERAL PROP-  
26 ERTY TAX ACT, Act No. 206 of the Public Acts of 1893, as  
27 amended, being sections 211.1 to 211.157 of the Michigan Compiled

1 Laws, are payable. The officer or officers shall disburse the  
2 commercial facilities tax payments received by the officer or  
3 officers each year to and among the same cities, townships, vil-  
4 lages, school districts, counties, and authorities, at the same  
5 times and in the same proportions as required by law for the dis-  
6 bursement of taxes collected under Act No. 206 of the Public  
7 Acts of 1893, as amended, except that ~~in the case of~~ FOR local  
8 and intermediate school districts receiving state aid under sec-  
9 tions 21(1), 56, 62, and 81 of the state school aid act of 1979,  
10 Act No. 94 of the Public Acts of 1979, being sections 388.1621,  
11 388.1656, 388.1662, and 388.1681 of the Michigan Compiled Laws,  
12 of the amount that would otherwise be disbursed to a local or  
13 intermediate school district, all or a portion, to be determined  
14 on the basis of the tax rates being utilized to compute the  
15 amount of state aid, shall be paid to the state treasury to the  
16 credit of the state school aid fund established by section 11 of  
17 article IX of the state constitution of 1963. If the sum of any  
18 industrial facility taxes prescribed by Act No. 198 of the Public  
19 Acts of 1974, being sections 207.551 to 207.571 of the Michigan  
20 Compiled Laws, and the commercial facilities taxes paid to the  
21 state treasury to the credit of the state school aid fund that  
22 would otherwise be disbursed to the local or intermediate school  
23 district, pursuant to section 11 of Act No. 198 of the Public  
24 Acts of 1974 and this section, exceeds the amount received by the  
25 local or intermediate school district under sections 21(1), 56,  
26 62, and 81 of Act No. 94 of the Public Acts of 1979, the  
27 department of treasury shall allocate to each eligible local or

1 intermediate school district an amount equal to the difference  
2 between the sum of the industrial facility taxes and the commer-  
3 cial facilities taxes paid to the state treasury to the credit of  
4 the state school aid fund and the amount the local or intermedi-  
5 ate school district received under sections 21(1), 56, 62, and 81  
6 of Act No. 94 of the Public Acts of 1979. The officer or offi-  
7 cers shall send a copy of the amount of disbursement made to each  
8 unit under this section to the commission on a form provided by  
9 the commission.

10 (6) FOR TAXES LEVIED UNDER THIS ACT IN 1993 AND EACH YEAR  
11 AFTER 1993, THE TAX LEVIED UNDER SUBSECTION (2) SHALL BE DETER-  
12 MINED USING THE LOCAL SCHOOL DISTRICT OPERATING MILLAGE RATE  
13 LEVIED FOR THAT YEAR OR FOR 1992, WHICHEVER IS GREATER, AND THE  
14 TAX LEVIED UNDER SUBSECTION (3) SHALL BE DETERMINED USING 1/2 OF  
15 THE LOCAL SCHOOL DISTRICT OPERATING MILLAGE RATE LEVIED FOR THAT  
16 YEAR OR FOR 1992, WHICHEVER IS GREATER. HOWEVER, THE LOCAL SCHOOL  
17 DISTRICT OPERATING MILLAGE RATE USED UNDER SUBSECTION (3) SHALL  
18 NOT EXCEED THE LOCAL SCHOOL DISTRICT OPERATING MILLAGE RATE  
19 LEVIED THAT YEAR.

20 Section 2. This amendatory act shall not take effect unless  
21 House Joint Resolution G of the 87th Legislature becomes a part  
22 of the constitution as provided in section 1 of article XII of  
23 the state constitution of 1963.

24 Section 3. This amendatory act shall not take effect unless  
25 all of the following bills of the 87th Legislature are enacted  
26 into law:

1 (a) Senate Bill No. 1.

2 (b) Senate Bill No. 600.

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4 (c) Senate Bill No. 599.

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6 (d) Senate Bill No. 602.

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8 (e) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
9 no. 01371'93).

10 (f) Senate Bill No. 598.

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12 (g) Senate Bill No. 596.

13  
14 (h) Senate Bill No. 597.

15  
16 (i) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
17 no. 03859'93).