



SENATE BILL No. 1209

September 13, 1994, Introduced by Senator BERRYMAN and
referred to the Committee on Finance

A bill to amend section 6 of Act No 167 of the Public Acts
of 1933, entitled as amended

"General sales tax act,"

as amended by Act No 325 of the Public Acts of 1993, being
section 205 56 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 6 of Act No 167 of the Public Acts of
2 1933, as amended by Act No 325 of the Public Acts of 1993, being
3 section 205 56 of the Michigan Compiled Laws, is amended to read
4 as follows

5 Sec 6 (1) Each taxpayer, unless otherwise provided by law
6 or as required ~~pursuant to~~ UNDER subsection (2) or (4), on or
7 before the fifteenth day of each month shall make out a return
8 for the preceding month on a form prescribed by the department
9 showing ALL CASH SALES, ALL CREDIT OR CHARGE SALES, the entire

1 amount of all sales, ~~and~~ gross proceeds of his or her business,
2 the allowable deductions ~~therefrom~~ FROM THE GROSS PROCEEDS,
3 ~~and~~ the amount of tax DUE ATTRIBUTABLE TO CASH SALES for which
4 he or she is liable, ~~and~~ THE AMOUNT OF TAX DUE ATTRIBUTABLE TO
5 CREDIT OR CHARGE SALES FOR WHICH HE OR SHE IS LIABLE, AND THE
6 TOTAL TAX DUE FOR WHICH HE OR SHE IS LIABLE EACH TAXPAYER shall
7 transmit the return, together with a remittance for ~~the amount~~
8 THAT PORTION of the TOTAL tax DUE ATTRIBUTABLE TO CASH SALES, to
9 the department on or before the fifteenth day of the month EACH
10 TAXPAYER SHALL TRANSMIT A REMITTANCE FOR THAT PORTION OF THE
11 TOTAL TAX DUE ATTRIBUTABLE TO CREDIT OR CHARGE SALES TO THE
12 DEPARTMENT ON OR BEFORE THE FIFTEENTH DAY OF THE SECOND MONTH
13 FOLLOWING THE TRANSMISSION OF THE RETURN The monthly return
14 shall be signed by the taxpayer or his or her duly authorized
15 agent and, if prepared for the taxpayer by any other person, the
16 return shall ~~so~~ state THAT IT WAS PREPARED FOR THE TAXPAYER BY
17 ANOTHER PERSON, give the name and address of ~~that person~~ THE
18 PREPARER, be signed by ~~that person~~ THE PREPARER, and give the
19 name of ~~his or her~~ THE PREPARER'S employer, if any

20 (2) Each taxpayer that had a total tax liability, after sub-
21 tracting the tax payments made to the secretary of state under
22 this act or the use tax act, Act No 94 of the Public Acts of
23 1937, being sections 205 91 to 205 111 of the Michigan Compiled
24 Laws, or after subtracting the tax credits available under
25 section 6a, in the immediately preceding calendar year of
26 \$480,000 00 for 1993, \$660,000 00 for 1994, or \$720,000 00 for
27 each year after 1994, or more on or before the eighteenth of each

1 month shall remit to the department, by an electronic funds
2 transfer method approved by the commissioner of revenue, an
3 amount equal to 95% of the taxpayer's liability under this act
4 for the same month in the immediately preceding calendar year, or
5 95% of the actual liability for the current month being reported,
6 plus a reconciliation payment equal to the difference between the
7 tax liability determined for the immediately preceding month
8 minus the amount of tax previously paid for that month. However,
9 for the period beginning May 1, 1994 through April 30, 1995, the
10 payment required under this subsection shall be 140% of the
11 taxpayer's liability under this act for the same month in the
12 immediately preceding calendar year or 95% of the actual liabil-
13 ity for the current month being reported, plus the reconciliation
14 payment described in this subsection.

15 (3) The tax imposed under this act shall accrue to the state
16 on the last day of the month in which the sale is incurred.

17 (4) The commissioner of revenue, ~~when~~ IF necessary to
18 insure payment of the tax or to provide a more efficient adminis-
19 tration, may require the filing of returns and payment of the tax
20 for other than monthly periods.