



HOUSE BILL No. 5182

October 3, 1995, Introduced by Reps. Perricone, Bullard, Profit, Jamian, Jersevic, Gustafson, Dobb, Hammerstrom, Jaye, Freeman, Yokich, Kaza, Kukuk, London, Walberg, Horton, Cropsey and Galloway and referred to the Committee on Tax Policy.

A bill to amend section 311 of Act No. 281 of the Public Acts of 1967, entitled "Income tax act of 1967," as amended by Act No. 254 of the Public Acts of 1987, being section 206.311 of the Michigan Compiled Laws; and to add section 51a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 311 of Act No. 281 of the Public Acts of
2 1967, as amended by Act No. 254 of the Public Acts of 1987, being
3 section 206.311 of the Michigan Compiled Laws, is amended and
4 section 51a is added to read as follows:

5 SEC. 51A. FOR THE 1996 TAX YEAR AND EACH TAX YEAR AFTER
6 1996, A TAXPAYER WHO HAS ADJUSTED GROSS INCOME OF NOT MORE THAN
7 THE FOLLOWING AMOUNT FOR THE APPROPRIATE TAX YEAR IS EXEMPT FROM

1 THE TAX LEVIED AND IMPOSED UNDER SECTION 51 AND IS NOT REQUIRED
2 TO FILE A RETURN UNDER THIS ACT FOR THAT TAX YEAR:

3 (A) FOR THE 1996 TAX YEAR, \$6,000.00 FOR A SINGLE RETURN AND
4 \$12,000.00 FOR A JOINT RETURN.

5 (B) FOR THE 1997 TAX YEAR, \$7,000.00 FOR A SINGLE RETURN AND
6 \$14,000.00 FOR A JOINT RETURN.

7 (C) FOR THE 1998 TAX YEAR, \$8,000.00 FOR A SINGLE RETURN AND
8 \$16,000.00 FOR A JOINT RETURN.

9 (D) FOR THE 1999 TAX YEAR, \$9,000.00 FOR A SINGLE RETURN AND
10 \$18,000.00 FOR A JOINT RETURN.

11 (E) FOR TAX YEARS AFTER THE 1999 TAX YEAR, \$10,000.00 FOR A
12 SINGLE RETURN AND \$20,000.00 FOR A JOINT RETURN.

13 Sec. 311. (1) The taxpayer on or before the due date set
14 for the filing of a return or the payment of the tax, except as
15 otherwise provided in this act, shall make out a return in the
16 form and content ~~as~~ prescribed by the commissioner, verify the
17 return, and transmit it, together with a remittance of the amount
18 of the tax, to the department.

19 (2) A TAXPAYER WHO IS EXEMPT FROM TAX UNDER SECTION 51A FOR
20 THE TAX YEAR IS NOT REQUIRED TO FILE A RETURN UNDER THIS SECTION.

21 (3) ~~(2)~~ The commissioner, upon application of the taxpayer
22 and for good cause shown, may extend under prescribed conditions
23 the time for filing the annual or final return required by this
24 act. Before the original due date, the taxpayer shall remit with
25 an application for extension the estimated tax due. In computing
26 the tax due for the tax year, interest at the rate established
27 in, and penalties imposed by, section 23 of Act No. 122 of the

1 Public Acts of 1941, ~~as amended,~~ being section 205.23 of the
 2 Michigan Compiled Laws, shall be added to the amount of tax
 3 unpaid for the period of the extension. The commissioner may
 4 require a tentative return and payment of an estimated tax.

5 (4) ~~(3)~~ Taxpayers who are husband and wife and who file a
 6 joint federal income tax return pursuant to the internal revenue
 7 code shall file a joint return.

8 (5) ~~(4) When~~ IF the taxpayer has been granted an extension
 9 ~~or extensions~~ of time within which to file a final federal INCOME
 10 TAX return for a ~~taxable~~ TAX year, the filing of a copy of the
 11 extension or extensions automatically extends the due date of the
 12 final return under this act for an equivalent period. The tax-
 13 payer shall remit with the copy of the extension or extensions
 14 the estimated tax due. In computing the tax due for the tax
 15 year, interest at the rate established in, and penalties imposed
 16 by, section 23 of Act No. 122 of the Public Acts of 1941 shall be
 17 added to the amount of tax unpaid for the period of the
 18 extension.

19 Section 2. This amendatory act shall not take effect unless
 20 all of the following bills of the 88th Legislature are enacted
 21 into law:

22 (a) Senate Bill No. _____ or House Bill No. 5181
 23 (request no. 05372'95).

24 (b) Senate Bill No. _____ or House Bill No. 5184
 25 (request no. 05372'95 f *).

26 (c) Senate Bill No. _____ or House Bill No. 5183
 27 (request no. 06143'95).

1 (d) Senate Bill No. _____ or House Bill No. 5180
2 (request no. 06144'95).