

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 606

A bill to amend 1893 PA 206, entitled
"The general property tax act,"
(MCL 211.1 to 211.157) by adding section 53d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 53D. (1) FOR TAXES LEVIED AFTER DECEMBER 31, 1991 AND
2 BEFORE JANUARY 1, 1998, THE ASSESSMENT ROLL FOR EACH TAX YEAR
3 SHALL BE CORRECTED TO REFLECT THAT IMPROVEMENTS TO REAL PROPERTY
4 ASSESSED ON THAT TAX ROLL AS PARTIALLY COMPLETED NEW CONSTRUCTION
5 AND THE LAND ON WHICH THE IMPROVEMENTS ARE LOCATED ARE EXEMPT
6 FROM THE COLLECTION OF TAXES UNDER THIS ACT IF ALL OF THE FOLLOW-
7 ING CONDITIONS ARE SATISFIED:

8 (A) THE IMPROVEMENTS AND THE LAND ON WHICH THE IMPROVEMENTS
9 ARE LOCATED ARE DETERMINED TO BE EXEMPT FROM TAXES COLLECTED
10 UNDER THIS ACT ON TAX DAY IN THE YEAR CONSTRUCTION OF THE
11 IMPROVEMENTS WAS COMPLETED AND THE PROPERTY WAS PUT TO USE.

SB0606, As Passed House, June 25, 1998

Sub. S.B. 606 (H-1) as amended June 25, 1998

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1 (B) THE PROPERTY OWNER CLAIMED [BEFORE JANUARY 1, 1998,] THAT
THE PARTIALLY COMPLETED
2 NEW CONSTRUCTION AND THE LAND ON WHICH THE IMPROVEMENTS ARE
3 LOCATED WAS EXEMPT FROM THE COLLECTION OF TAXES UNDER THIS ACT IN
4 A FORMAL PROTEST TO THE ASSESSOR AS PROVIDED UNDER A LOCAL ORDI-
5 NANCE OR CHARTER OR IN A PROTEST TO THE FIRST BOARD OF REVIEW
6 THAT MET PURSUANT TO SECTION 30 AFTER A CERTIFICATE OF OCCUPANCY
7 FOR THE COMPLETED NEW CONSTRUCTION WAS ISSUED AND THAT BOARD OF
8 REVIEW DENIED THE PROPERTY OWNER'S [PROTEST, AND THE PROPERTY OWNER
SUBSEQUENTLY FILED AN APPEAL WITH THE MICHIGAN TAX TRIBUNAL AND THAT
APPEAL WAS DENIED].

9 (2) FOR TAXES LEVIED AFTER DECEMBER 31, 1997, THE ASSESSMENT
10 ROLL FOR EACH TAX YEAR SHALL BE CORRECTED TO REFLECT THAT
11 IMPROVEMENTS TO REAL PROPERTY ASSESSED ON THAT TAX ROLL AS PAR-
12 Tially COMPLETED NEW CONSTRUCTION AND THE LAND ON WHICH THE
13 IMPROVEMENTS ARE LOCATED ARE EXEMPT FROM THE COLLECTION OF TAXES
14 UNDER THIS ACT IF THE IMPROVEMENTS AND THE LAND ON WHICH THE
15 IMPROVEMENTS ARE LOCATED ARE DETERMINED TO BE EXEMPT FROM TAXES
16 COLLECTED UNDER THIS ACT ON TAX DAY IN THE YEAR CONSTRUCTION OF
17 THE IMPROVEMENTS WAS COMPLETED AND THE PROPERTY WAS PUT TO USE.

18 (3) FOR EACH TAX YEAR IN WHICH THE TAX ROLL IS CORRECTED
19 UNDER SUBSECTION (1) OR (2), A CORRECTED TAX BILL SHALL BE ISSUED
20 BY THE LOCAL TAX COLLECTING UNIT IF THE LOCAL TAX COLLECTING UNIT
21 HAS POSSESSION OF THE TAX ROLL OR BY THE COUNTY TREASURER IF THE
22 COUNTY HAS POSSESSION OF THE TAX ROLL. IF GRANTING THE EXEMPTION
23 UNDER THIS SECTION RESULTS IN AN OVERPAYMENT OF THE TAX, A
24 REBATE, INCLUDING ANY INTEREST AND PENALTIES PAID, SHALL BE MADE
25 TO THE TAXPAYER BY THE LOCAL TAX COLLECTING UNIT IF THE LOCAL TAX
26 COLLECTING UNIT HAS POSSESSION OF THE TAX ROLL OR BY THE COUNTY
27 TREASURER IF THE COUNTY HAS POSSESSION OF THE TAX ROLL WITHIN 30

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1 DAYS OF THE DATE THE EXEMPTION IS GRANTED. THE REBATE SHALL BE
2 WITHOUT INTEREST.

3 (4) AS USED IN THIS SECTION, "NEW CONSTRUCTION" MEANS THAT
4 TERM AS DEFINED IN SECTION 34D(1)(B)(iii).

5 Enacting section 1. This amendatory act is retroactive and
6 is effective December 31, 1991.