

# HOUSE BILL No. 5422

December 9, 1997, Introduced by Reps. Richner and Perricone and referred to the Committee on Tax Policy.

A bill to amend 1893 PA 206, entitled  
"The general property tax act,"  
by amending section 7u (MCL 211.7u), as amended by 1994 PA 300.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 7u. (1) The homestead of ~~persons~~ A PERSON who, in  
2 the judgment of the supervisor and board of review, by reason of  
3 poverty, ~~are~~ IS unable to contribute toward the public charges  
4 is eligible for exemption in whole or in part from ~~taxation~~ THE  
5 COLLECTION OF TAXES under this act. This section does not apply  
6 to the property of a corporation.  
7       (2) To be eligible for AN exemption under this section, a  
8 person shall do all of the following on an annual basis:  
9       (a) ~~Be an owner of~~ OWN and occupy as a homestead the  
10 property for which an exemption is requested.

1 (b) File a claim with the supervisor or board of review on a  
2 form provided by the local ~~assessing~~ TAX COLLECTING unit,  
3 accompanied by federal and state income tax returns for all per-  
4 sons residing in the homestead, including any property tax credit  
5 returns, filed in the immediately preceding year or in the cur-  
6 rent year. ~~The filing of~~ FILING a claim under this subsection  
7 constitutes an appearance before the board of review ~~for the~~  
8 ~~purpose of preserving~~ AND PRESERVES the claimant's right to  
9 appeal the decision of the board of review regarding the claim.

10 (c) Produce a valid driver's license or other form of iden-  
11 tification if requested by the supervisor or board of review.

12 (d) Produce a deed, land contract, or other evidence of  
13 ownership of the property for which an exemption is requested if  
14 required by the supervisor or board of review.

15 (e) ~~Meet~~ HAVE HOUSEHOLD INCOME THAT MEETS 1 OF THE FOLLOW-  
16 ING CRITERIA:

17 (i) IS LESS THAN the GREATER OF THE FOLLOWING:

18 (A) THE federal poverty income standards as defined and  
19 determined annually by the United States office of management and  
20 budget. ~~or alternative~~

21 (B) FIFTY PERCENT OF THE STATE MEDIAN HOUSEHOLD INCOME.

22 (ii) ALTERNATIVE guidelines adopted by the governing body of  
23 the local assessing unit provided the alternative guidelines do  
24 not provide income eligibility requirements less than the  
25 ~~federal~~ guidelines SET FORTH IN SUBPARAGRAPH (i).

26 (3) The PERSON REQUESTING AN EXEMPTION UNDER THIS SECTION  
27 SHALL FILE AN application ~~for an exemption~~ under this section

1 ~~shall be filed~~ after January 1 but before the day prior to the  
2 last day of the board of review.

3 (4) The governing body of the local ~~assessing~~ TAX  
4 COLLECTING unit shall determine and make available to the public  
5 the policy and guidelines the local assessing unit uses ~~for the~~  
6 ~~granting of~~ TO GRANT exemptions under this section. The guide-  
7 lines shall include, but ARE not ~~be~~ limited to, the CLAIMANT'S  
8 specific income and asset levels ~~of the claimant~~ and THE  
9 CLAIMANT'S total household income and assets.

10 (5) The board of review shall follow the policy and guide-  
11 lines of the local ~~assessing~~ TAX COLLECTING unit in granting or  
12 denying an exemption under this section unless the board of  
13 review determines THAT there are substantial and compelling rea-  
14 sons why ~~there~~ THE BOARD OF REVIEW should ~~be a deviation~~  
15 DEVIATE from the policy and guidelines and the substantial and  
16 compelling reasons are communicated in writing to the claimant.

17 (6) A person who files ~~a claim~~ AN APPLICATION FOR  
18 EXEMPTION under this section ~~is not prohibited from~~ MAY also  
19 ~~appealing~~ APPEAL the assessment on the property for which ~~that~~  
20 ~~claim~~ THE REQUEST FOR EXEMPTION is made before the board of  
21 review in the same year.

22 (7) As used in this section, "homestead" means A homestead  
23 or qualified agricultural property as those terms are defined in  
24 section 7dd.