

# HOUSE BILL No. 5441

January 14, 1998, Introduced by Reps. Hanley, Schauer, Scott, Thomas, Wojno, Hale, Martinez, Price, DeHart, Prusi, Brewer, Vaughn, Kelly, LaForge, Brater, Leland, Profit, Bogardus, Parks, Mans, Gubow, Freeman, Jellema, Godchaux, Stallworth, Basham and Rison and referred to the Committee on Tax Policy.

A bill to amend 1975 PA 228, entitled  
"Single business tax act,"  
(MCL 208.1 to 208.145) by adding section 39c.

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

1        SEC. 39C. (1) FOR TAX YEARS BEGINNING AFTER DECEMBER 31,  
2 1997 AND EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A QUALI-  
3 FIED TAXPAYER MAY CLAIM A CREDIT EQUAL TO 105% OF THE AMOUNT OF  
4 CONTRIBUTIONS MADE BY THE TAXPAYER IN THE TAX YEAR TO THE  
5 MICHIGAN AFFORDABLE HOUSING FUND.  
6        (2) THE DEPARTMENT WITH THE APPROVAL OF THE MICHIGAN STATE  
7 HOUSING DEVELOPMENT AUTHORITY SHALL DETERMINE THE MAXIMUM CREDIT  
8 ALLOWABLE UNDER THIS SECTION FOR EACH TAXPAYER THAT MAKES CONTRI-  
9 BUTIONS TO THE MICHIGAN AFFORDABLE HOUSING FUND IN A TAX YEAR AND  
10 ISSUE EACH TAXPAYER A CERTIFICATE OF CREDIT THAT INDICATES THE  
11 MAXIMUM AMOUNT OF CREDIT THE TAXPAYER MAY CLAIM.

1       (3) CONTRIBUTIONS USED TO CALCULATE THE TAXPAYER'S ALLOWABLE  
2 CREDIT AMOUNT AS DETERMINED UNDER SUBSECTION (2) SHALL NOT EXCEED  
3 50% OF THE TAXPAYER'S TAX LIABILITY FOR THE TAX YEAR.

4       (4) THE MAXIMUM AMOUNT OF TOTAL CREDITS ALLOWABLE UNDER THIS  
5 SECTION FOR EACH TAX YEAR IS THE AMOUNT CALCULATED BY MULTIPLYING  
6 \$3.00 TIMES THE POPULATION OF THIS STATE AS DETERMINED BY THE  
7 MOST RECENT FEDERAL DECENNIAL CENSUS. THE DOLLAR AMOUNT UNDER  
8 THIS SECTION SHALL BE ADJUSTED ANNUALLY TO REFLECT ANY INCREASE  
9 IN THE UNITED STATES CONSUMER PRICE INDEX FOR THE IMMEDIATELY  
10 PRECEDING CALENDAR YEAR.

11       (5) IF THE CREDIT ALLOWED UNDER THIS SECTION FOR THE TAX  
12 YEAR AND ANY UNUSED CARRYFORWARD OF THE CREDIT ALLOWED BY THIS  
13 SECTION EXCEED THE TAXPAYER'S TAX LIABILITY FOR THE TAX YEAR,  
14 THAT PORTION THAT EXCEEDS THE TAX LIABILITY FOR THE TAX YEAR  
15 SHALL NOT BE REFUNDED BUT MAY BE CARRIED FORWARD TO OFFSET TAX  
16 LIABILITY IN SUBSEQUENT TAX YEARS FOR 10 YEARS OR UNTIL USED UP,  
17 WHICHEVER OCCURS FIRST.

18       (6) AS USED IN THIS SECTION:

19       (A) "MICHIGAN AFFORDABLE HOUSING FUND" MEANS THE MICHIGAN  
20 AFFORDABLE HOUSING FUND CREATED IN THE MICHIGAN AFFORDABLE HOUS-  
21 ING FUND ACT.

22       (B) "QUALIFIED TAXPAYER" MEANS A TAXPAYER THAT HAS RECEIVED  
23 A CERTIFICATE OF CREDIT FROM THE DEPARTMENT THAT IS APPROVED BY  
24 THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.

25       (C) "UNITED STATES CONSUMER PRICE INDEX" MEANS THE UNITED  
26 STATES CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS AS DEFINED

1 AND REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF  
2 LABOR STATISTICS.

3 Enacting section 1. This amendatory act does not take  
4 effect unless Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_  
5 (request no. 03689'97 a) of the 89th Legislature is enacted into  
6 law.