

# HOUSE BILL No. 5456

January 14, 1998, Introduced by Reps. Freeman, Profit, Brater, Gire, Vaughn, Scott, Hale, Griffin, Tesanovich, Cherry, Anthony, Jaye, Kaza, Richner, Wetters and Raczkowski 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 1996, A TAXPAYER MAY CLAIM A CREDIT AGAINST THE TAX IMPOSED BY  
3 THIS ACT EQUAL TO 5% OF THE COSTS PAID IN THE TAX YEAR FOR POLLU-  
4 TION PREVENTION EQUIPMENT USED BY THE TAXPAYER AT A FACILITY IN  
5 THIS STATE TO MITIGATE AIR OR WATER POLLUTION.

6        (2) A TAXPAYER MAY CLAIM A CREDIT UNDER THIS SECTION FOR  
7 COSTS THAT WERE USED BY THE TAXPAYER TO CALCULATE A CREDIT UNDER  
8 SECTION 23.

9        (3) IF THE CREDIT ALLOWED UNDER THIS SECTION FOR THE TAX  
10 YEAR AND ANY UNUSED CARRYFORWARD OF THE CREDIT ALLOWED BY THIS  
11 SECTION EXCEED THE TAXPAYER'S TAX LIABILITY FOR THE TAX YEAR,

1 THAT PORTION THAT EXCEEDS THE TAX LIABILITY FOR THE TAX YEAR  
2 SHALL NOT BE REFUNDED BUT MAY BE CARRIED FORWARD TO OFFSET TAX  
3 LIABILITY IN SUBSEQUENT TAX YEARS FOR 10 YEARS OR UNTIL USED UP,  
4 WHICHEVER OCCURS FIRST.

5 (4) AS USED IN THIS SECTION, "POLLUTION PREVENTION  
6 EQUIPMENT" MEANS EQUIPMENT USED IN THE REDUCTION OR PREVENTION OF  
7 POLLUTION AT THE SOURCE, THAT REDUCES THE AMOUNT OF ANY HAZARDOUS  
8 SUBSTANCE, POLLUTANT, OR CONTAMINANT ENTERING ANY WASTE STREAM OR  
9 THAT IS OTHERWISE RELEASED INTO THE ENVIRONMENT PRIOR TO RECYCL-  
10 ING TREATMENT OR DISPOSAL, OR THAT REDUCES HAZARDS TO PUBLIC  
11 HEALTH AND THE ENVIRONMENT.

12 Enacting section 1. This amendatory act does not take  
13 effect unless all of the following bills of the 89th Legislature  
14 are enacted into law:

15 (a) House Bill No. 4987.

16 (b) House Bill No. 4988.