

SENATE BILL NO. 787

November 5, 1997, Introduced by Senator SHUGARS and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

A bill to amend 1974 PA 198, entitled

"An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,"

by amending section 16 (MCL 207.566), as amended by 1984 PA 417, and by adding section 16b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16. (1) Unless earlier revoked as provided in section
2 15, OR AS OTHERWISE PROVIDED IN SECTION 16B, an industrial facil-
3 ities exemption certificate shall remain in force and effect for
4 a period to be determined by the legislative body of the local
5 governmental unit and commencing with its effective date and
6 ending on the December 31 ~~next~~ IMMEDIATELY following not more

1 than 12 years after the completion of the facility with respect
2 to both the real property component and the personal property
3 component of the facility. The date of issuance of a certificate
4 of occupancy, if one is required, by appropriate municipal
5 authority shall be the date of completion of the facility.

6 (2) In the case of an application which was not filed within
7 12 months after the commencement of the restoration, replacement,
8 or construction of the facility but was filed within the succeed-
9 ing 12-month period as provided in section 9(2)(a), the indus-
10 trial facilities exemption certificate, unless earlier revoked as
11 provided in section 15, shall remain in force and effect for a
12 period commencing with its effective date and ending on the
13 December 31 ~~next~~ IMMEDIATELY following not more than 11 years
14 after completion of the facility with respect to both the real
15 property component and the personal property component of the
16 facility. The date of issuance of a certificate of occupancy, if
17 one is required, by appropriate municipal authority shall be the
18 date of completion of the facility. This subsection shall not
19 apply for certificates issued after December 31, 1983.

20 (3) In the case of an application filed pursuant to section
21 9(4), an industrial facilities exemption certificate, unless ear-
22 lier revoked as provided in section 15, shall remain in force and
23 effect for a period to be determined by the legislative body of
24 the local governmental unit and commencing on the effective date
25 of the certificate and ending on the December 31 ~~next~~
26 IMMEDIATELY following not more than 11 years after the effective
27 date of the certificate.

1 SEC. 16B. IF AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
2 FOR A REPLACEMENT FACILITY, A NEW FACILITY, OR A SPECULATIVE
3 BUILDING BECOMES EFFECTIVE AFTER DECEMBER 31, 1995 AND IS GRANTED
4 FOR A PERIOD SHORTER THAN THE MAXIMUM PERIOD PERMITTED UNDER
5 SECTION 16, AND THE LEGISLATIVE BODY OF THE LOCAL GOVERNMENTAL
6 UNIT APPROVED THE APPLICATION ON NOVEMBER 14, 1995 AND THE TAX
7 COMMISSION APPROVED THE APPLICATION ON APRIL 10, 1996, THEN,
8 EXCEPT AS OTHERWISE PROVIDED IN SECTION 15, THE INDUSTRIAL FACIL-
9 ITIES EXEMPTION CERTIFICATES SHALL REMAIN IN EFFECT FOR AN ADDI-
10 TIONAL 12 YEARS FROM THE EFFECTIVE DATE OF THE AMENDATORY ACT
11 THAT ADDED THIS SECTION.