

**SENATE BILL NO. 992**

March 4, 1998, Introduced by Senators BULLARD, BOUCHARD and DUNASKISS 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 sections 6 and 7 (MCL 207.556 and 207.557), section 6 as amended by 1996 PA 323 and section 7 as amended by 1996 PA 513.

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

1       Sec. 6. The legislative body of the local governmental  
2 unit, not more than 60 days after receipt by its clerk of the  
3 application, shall by resolution either approve or disapprove the  
4 application for an industrial facilities exemption certificate in  
5 accordance with section 9 and the other provisions of this act.

1 If disapproved, the reasons shall be set forth in writing in the  
2 resolution. If approved, the clerk shall ~~forward~~ SEND the  
3 application to the commission within 60 days of approval or  
4 before October 31 of that year, whichever is first, in order to  
5 receive the industrial facilities exemption certificate effective  
6 for the following year. If disapproved, the clerk shall return  
7 the application to the applicant. The applicant may appeal the  
8 disapproval to the commission within 10 days after the date of  
9 the disapproval.

10       Sec. 7. (1) Within 60 days after receipt of an approved  
11 application or an appeal of a disapproved application that was  
12 ~~submitted~~ SENT to the commission before October 31 of that  
13 year, the commission shall determine whether the facility is a  
14 speculative building or designed and acquired primarily for the  
15 purpose of restoration or replacement of obsolete industrial  
16 property or the construction of new industrial property, and  
17 whether the facility otherwise complies with section 9 and with  
18 the other provisions of this act. If the commission so finds, it  
19 shall issue an industrial facilities exemption certificate.  
20 Before issuing a certificate the commission shall notify the  
21 state treasurer of the application and shall obtain the written  
22 concurrence of the ~~department of consumer and industry services~~  
23 MICHIGAN JOBS COMMISSION that the application complies with the  
24 requirements in section 9. Except as otherwise provided in sec-  
25 tion 7a, the effective date of the certificate for a replacement  
26 facility or new facility is the immediately succeeding December  
27 31 following the date the certificate is issued. For a

1 speculative building or a portion of a speculative building,  
2 except as otherwise provided in section 7a, the effective date of  
3 the certificate is the immediately succeeding December 31 follow-  
4 ing the date the speculative building, or the portion of a specu-  
5 lative building, is used as a manufacturing facility.

6 (2) The commission shall send an industrial facilities  
7 exemption certificate, when issued, by certified mail to the  
8 applicant, and a certified copy by certified mail to the assessor  
9 of the assessing unit in which the facility is located or to be  
10 located, and that copy shall be filed in his or her office.  
11 Notice of the commission's refusal to issue a certificate shall  
12 be sent by certified mail to the same persons.

13 (3) Notwithstanding any other provision of this act, if on  
14 December 29, 1986 a local governmental unit passed a resolution  
15 approving an exemption certificate for 10 years for real and per-  
16 sonal property but the commission did not receive the application  
17 until 1992 and the application was not made complete until 1995,  
18 then the commission shall issue, for that property, an industrial  
19 facilities exemption certificate that begins December 30, 1987  
20 and ends December 30, 1997.