

**SENATE BILL NO. 1089**

April 28, 1998, Introduced by Senators STEIL, ROGERS, GOUGEON, CISKY, BENNETT, BULLARD, GEAKE, STILLE, DUNASKISS, HOFFMAN and SHUGARS and referred to the Committee on Finance.

A bill to amend 1933 PA 167, entitled  
"General sales tax act,"  
by amending section 6 (MCL 205.56), as amended by 1993 PA 325.

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

1       Sec. 6. (1) Each taxpayer, unless otherwise provided by law  
2 or as required pursuant to subsection ~~(2) or (4)~~ (3), on or  
3 before the fifteenth day of each month shall make out a return  
4 for the preceding month on a form prescribed by the department  
5 showing the entire amount of all sales and gross proceeds of his  
6 or her business, the allowable deductions therefrom, and the  
7 amount of tax for which he or she is liable. ~~, and~~ THE TAXPAYER  
8 shall ALSO transmit the return, together with a remittance for  
9 the amount of the tax, to the department on or before the  
10 fifteenth day of ~~the~~ THAT month. The monthly return shall be  
11 signed by the taxpayer or his or her duly authorized agent and,



1 if prepared for the taxpayer by any other person, the return  
2 shall so state, give the name and address of that person, be  
3 signed by that person, and give the name of his or her employer,  
4 if any.

5 ~~-(2) Each taxpayer that had a total tax liability, after~~  
6 ~~subtracting the tax payments made to the secretary of state under~~  
7 ~~this act or the use tax act, Act No. 94 of the Public Acts of~~  
8 ~~1937, being sections 205.91 to 205.111 of the Michigan Compiled~~  
9 ~~Laws, or after subtracting the tax credits available under~~  
10 ~~section 6a, in the immediately preceding calendar year of~~  
11 ~~\$480,000.00 for 1993, \$660,000.00 for 1994, or \$720,000.00 for~~  
12 ~~each year after 1994, or more on or before the eighteenth of each~~  
13 ~~month shall remit to the department, by an electronic funds~~  
14 ~~transfer method approved by the commissioner of revenue, an~~  
15 ~~amount equal to 95% of the taxpayer's liability under this act~~  
16 ~~for the same month in the immediately preceding calendar year, or~~  
17 ~~95% of the actual liability for the current month being reported,~~  
18 ~~plus a reconciliation payment equal to the difference between the~~  
19 ~~tax liability determined for the immediately preceding month~~  
20 ~~minus the amount of tax previously paid for that month. However,~~  
21 ~~for the period beginning May 1, 1994 through April 30, 1995, the~~  
22 ~~payment required under this subsection shall be 140% of the~~  
23 ~~taxpayer's liability under this act for the same month in the~~  
24 ~~immediately preceding calendar year or 95% of the actual liabil-~~  
25 ~~ity for the current month being reported, plus the reconciliation~~  
26 ~~payment described in this subsection.~~

1           (2) ~~-(3)-~~ The tax imposed under this act shall accrue to the  
2 state on the last day of the month in which the sale is  
3 incurred.

4           (3) ~~-(4)-~~ The commissioner of revenue, when necessary to  
5 insure payment of the tax or to provide a more efficient adminis-  
6 tration, may require the filing of returns and payment of the tax  
7 for other than monthly periods.