

SENATE SUBSTITUTE FOR

HOUSE BILL NO. 5743

(As passed the Senate, December 11, 2002)

A bill to amend 1893 PA 206, entitled
"The general property tax act,"
by amending sections 7cc and 53b (MCL 211.7cc and 211.53b), section 7cc as amended by 1996 PA 476 and section 53b as amended by 2000 PA 284.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7cc. (1) A homestead is exempt from the tax levied by
2 a local school district for school operating purposes to the
3 extent provided under section 1211 of the revised school code,
4 ~~Act No. 451 of the Public Acts of 1976, being section 380.1211~~
5 ~~of the Michigan Compiled Laws~~ 1976 PA 451, MCL 380.1211, if an
6 owner of that homestead claims an exemption as provided in this
7 section. Notwithstanding the tax day provided in section 2, the
8 status of property as a homestead shall be determined on the date

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1 an affidavit claiming an exemption is filed under subsection
2 (2).

3 (2) An owner of property may claim an exemption under this
4 section by filing an affidavit on or before May 1 with the local
5 tax collecting unit in which the property is located. The affi-
6 davit shall state that the property is owned and occupied as a
7 homestead by that owner of the property on the date that the
8 affidavit is signed. The affidavit shall be on a form prescribed
9 by the department of treasury. Beginning in 1995, 1 copy of the
10 affidavit shall be retained by the owner, 1 copy shall be
11 retained by the local tax collecting unit until any appeal or
12 audit period under this act has expired, and 1 copy shall be for-
13 warded to the department of treasury pursuant to subsection (4),
14 together with all information submitted under subsection ~~-(22)-~~
15 (18) for a cooperative housing corporation. Beginning in 1995,
16 the affidavit shall require the owner claiming the exemption to
17 indicate if that owner has claimed another exemption on property
18 in this state that is not rescinded. If the affidavit requires
19 an owner to include a social security number, that owner's number
20 is subject to the disclosure restrictions in ~~Act No. 122 of the~~
21 ~~Public Acts of 1941, being sections 205.1 to 205.31 of the~~
22 ~~Michigan Compiled Laws— 1941 PA 122, MCL 205.1 TO 205.31.~~

23 (3) A husband and wife who are required to file or who do
24 file a joint Michigan income tax return are entitled to not more
25 than 1 homestead exemption.

26 (4) Upon receipt of an affidavit filed under subsection (2)
27 and unless the claim is denied under subsection (6), the assessor

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1 shall exempt the property from the collection of the tax levied
2 by a local school district for school operating purposes to the
3 extent provided under section 1211 of ~~Act No. 451 of the Public~~
4 ~~Acts of 1976~~ THE REVISED SCHOOL CODE, 1976 PA 451, MCL 380.1211,
5 as provided in subsection (1) until December 31 of the year in
6 which the property is transferred or is no longer a homestead as
7 defined in section 7dd. The local tax collecting unit shall for-
8 ward copies of affidavits to the department of treasury according
9 to a schedule prescribed by the department of treasury.

10 (5) Not more than 90 days after exempted property is no
11 longer used as a homestead by the owner claiming an exemption,
12 that owner shall rescind the claim of exemption by filing with
13 the local tax collecting unit a rescission form prescribed by the
14 department of treasury. Beginning October 1, 1994, an owner who
15 fails to file a rescission as required by this subsection is
16 subject to a penalty of \$5.00 per day for each separate failure
17 beginning after the 90 days have elapsed, up to a maximum of
18 \$200.00. This penalty shall be collected under ~~Act No. 122 of~~
19 ~~the Public Acts of 1941~~ 1941 PA 122, MCL 205.1 TO 205.31, and
20 shall be deposited in the state school aid fund established in
21 section 11 of article IX of the state constitution of 1963. This
22 penalty may be waived by the department of treasury.

23 (6) If the assessor of the local tax collecting unit
24 believes that the property for which an exemption is claimed is
25 not the homestead of the owner claiming the exemption, effective
26 for taxes levied after 1994 the assessor may deny a new or
27 existing claim by notifying the owner and the department of

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1 treasury in writing of the reason for the denial and advising the
2 owner that the denial may be appealed to the department of trea-
3 sury within 35 days after the date of the notice. The denial
4 shall be made on a form prescribed by the department of
5 treasury. If the assessor of the local tax collecting unit
6 believes that the property for which the exemption is claimed is
7 not the homestead of the owner claiming the exemption, for taxes
8 levied in 1994 the assessor may send a recommendation for denial
9 for any affidavit that is forwarded to the department of treasury
10 stating the reasons for the recommendation. If the assessor of
11 the local tax collecting unit believes that the property for
12 which the exemption is claimed is not the homestead of the owner
13 claiming the exemption and has not denied the claim, for taxes
14 levied after 1994 the assessor shall include a recommendation for
15 denial with any affidavit that is forwarded to the department of
16 treasury or, for an existing claim, shall send a recommendation
17 for denial to the department of treasury, stating the reasons for
18 the recommendation.

19 (7) The department of treasury shall determine if the prop-
20 erty is the homestead of the owner claiming the exemption. The
21 department of treasury may review the validity of exemptions for
22 the current calendar year and for the 3 immediately preceding
23 calendar years. If the department of treasury determines that
24 the property is not the homestead of the owner claiming the
25 exemption, the department shall send a notice of that determina-
26 tion to the local tax collecting unit and to the owner of the
27 property claiming the exemption, indicating that the claim for

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1 exemption is denied, stating the reason for the denial, and
2 advising the owner claiming the exemption of the right to appeal
3 the determination to the department of treasury and what those
4 rights of appeal are. The department of treasury may issue a
5 notice denying a claim if an owner fails to respond within 30
6 days of receipt of a request for information from that
7 department. An owner may appeal the denial of a claim of exemp-
8 tion to the department of treasury within 35 days of receipt of
9 the notice of denial. An appeal to the department of treasury
10 shall be conducted according to the provisions for an informal
11 conference in section 21 of ~~Act No. 122 of the Public Acts of~~
12 ~~1941, being section 205.21 of the Michigan Compiled Laws~~ 1941 PA
13 122, MCL 205.21. Within 10 days after acknowledging an appeal of
14 a denial of a claim of exemption, the department of treasury
15 shall notify the assessor and the treasurer for the county in
16 which the property is located that an appeal has been filed.
17 Upon receipt of a notice that the department of treasury has
18 denied a claim for exemption, the assessor shall remove the
19 exemption of the property and, if the tax roll is in the local
20 tax collecting unit's possession, amend the tax roll to reflect
21 the denial and the local treasurer shall issue a corrected tax
22 bill for previously unpaid taxes with interest and penalties com-
23 puted based on the interest and penalties that would have accrued
24 from the date the taxes were originally levied if there had not
25 been an exemption. If the tax roll is in the county treasurer's
26 possession, the tax roll shall be amended to reflect the denial
27 and the county treasurer shall prepare and submit a supplemental

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1 tax bill for any additional taxes, together with any interest and
2 penalties. For taxes levied in 1994 only, the county treasurer
3 shall waive any interest and penalties due if the owner pays the
4 supplemental tax bill not more than 30 days after the owner
5 receives the supplemental tax bill. Interest and penalties shall
6 not be assessed for any period before February 14, 1995.
7 However, if the property has been transferred to a bona fide pur-
8 chaser before additional taxes were billed to the seller as a
9 result of the denial of a claim for exemption, the taxes, inter-
10 est, and penalties shall not be billed to the bona fide purchas-
11 er, and the local tax collecting unit if the local tax collecting
12 unit has possession of the tax roll or the county treasurer if
13 the county has possession of the tax roll shall notify the
14 department of treasury of the amount of tax due and interest
15 through the date of that notification. The department of trea-
16 sury shall then assess the owner who claimed the homestead prop-
17 erty tax exemption for the tax and interest plus penalty accruing
18 as a result of the denial of the claim for exemption, if any, as
19 for unpaid taxes provided under ~~Act No. 122 of the Public Acts~~
20 ~~of 1941~~ 1941 PA 122, MCL 205.1 TO 205.31, and shall deposit any
21 tax, interest, or penalty collected into the state school aid
22 fund.

23 (8) An owner may appeal a final decision of the department
24 of treasury to the residential and small claims division of the
25 Michigan tax tribunal within 35 days of that decision. An asses-
26 sor may appeal a final decision of the department of treasury to
27 the residential and small claims division of the Michigan tax

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1 tribunal within 35 days of that decision if the assessor denied
2 the exemption under subsection (6), or, for taxes levied in 1994
3 only, the assessor forwarded a recommendation for denial to the
4 department of treasury under subsection (6). An owner is not
5 required to pay the amount of tax in dispute in order to appeal a
6 denial of a claim of exemption to the department of treasury or
7 to receive a final determination of the residential and small
8 claims division of the Michigan tax tribunal. However, interest
9 and penalties except as provided in subsection (7), if any, shall
10 accrue and be computed based on the interest and penalties that
11 would have accrued from the date the taxes were originally levied
12 as if there had not been an exemption.

13 (9) An affidavit filed by an owner for a homestead rescinds
14 all previous exemptions filed by that owner for any other
15 homestead. The department of treasury shall notify the assessor
16 of the local tax collecting unit in which the property for which
17 a previous exemption was claimed is located that the previous
18 exemption is rescinded by the subsequent affidavit. Upon receipt
19 of notice that an exemption is rescinded, the assessor of the
20 local tax collecting unit shall remove the exemption effective
21 December 31 of the year in which the property is transferred or
22 is no longer a homestead as defined in section 7dd. The assessor
23 of the local tax collecting unit in which that property is
24 located shall notify the treasurer in possession of the tax roll
25 for a year for which the exemption is rescinded. If the tax roll
26 is in the local tax collecting unit's possession, the tax roll
27 shall be amended to reflect the rescission and the local

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1 treasurer shall prepare and issue a corrected tax bill for
2 previously unpaid taxes with interest and penalties computed
3 based on the interest and penalties that would have accrued from
4 the date the taxes were originally levied if there had not been
5 an exemption for that year. If the tax roll is in the county
6 treasurer's possession, the tax roll shall be amended to reflect
7 the rescission and the county treasurer shall prepare and submit
8 a supplemental tax bill for any additional taxes, together with
9 any interest and penalties. However, if the property has been
10 transferred to a bona fide purchaser, the taxes, interest, and
11 penalties shall not be billed to the bona fide purchaser, and the
12 local tax collecting unit if the local tax collecting unit has
13 possession of the tax roll or the county treasurer if the county
14 has possession of the tax roll shall notify the department of
15 treasury of the amount of tax due and interest through the date
16 of that notification. The department of treasury shall then
17 assess the owner who received the homestead property tax exemp-
18 tion when the property was not a homestead as defined in section
19 7dd for the tax and interest plus penalty accruing, if any, as
20 for unpaid taxes provided under ~~Act No. 122 of the Public Acts~~
21 ~~of 1941~~ 1941 PA 122, MCL 205.1 TO 205.31, and shall deposit any
22 tax, interest, or penalty collected into the state school aid
23 fund.

24 (10) An owner of property for which a claim of exemption is
25 rescinded may appeal that rescission with either the July or
26 December board of review in either the year for which the
27 exemption is rescinded or in the immediately succeeding year. If

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1 an appeal of a rescission of a claim for exemption is received
2 not later than 5 days prior to the date of the December board of
3 review, the local tax collecting unit shall convene a December
4 board of review and consider the appeal pursuant to this section
5 and section 53b. An owner of property for which a claim of
6 exemption is rescinded may appeal the decision of the board of
7 review to the residential and small claims division of the
8 Michigan tax tribunal within 35 days of that decision.

9 (11) If the homestead is part of a unit in a multiple-unit
10 dwelling or a dwelling unit in a multiple-purpose structure, an
11 owner shall claim an exemption for only that portion of the total
12 taxable value of the property used as the homestead of that owner
13 in a manner prescribed by the department of treasury. If a por-
14 tion of a parcel for which the owner claims an exemption is used
15 for a purpose other than as a homestead, the owner shall claim an
16 exemption for only that portion of the taxable value of the prop-
17 erty used as the homestead of that owner in a manner prescribed
18 by the department of treasury.

19 (12) When a county register of deeds records a transfer of
20 ownership of a property, he or she shall notify the local tax
21 collecting unit in which the property is located of the
22 transfer.

23 (13) The department of treasury shall make available the
24 affidavit forms and the forms to rescind an exemption, which may
25 be on the same form, to all city and township assessors, county
26 equalization officers, county registers of deeds, and closing
27 agents. A person who prepares a closing statement for the sale

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1 of property shall provide affidavit and rescission forms to the
2 buyer and seller at the closing and, if requested by the buyer or
3 seller after execution by the buyer or seller, shall file the
4 forms with the local tax collecting unit in which the property is
5 located. If a closing statement preparer fails to provide home-
6 stead exemption affidavit and rescission forms to the buyer and
7 seller, or fails to file the affidavit and rescission forms with
8 the local tax collecting unit if requested by the buyer or
9 seller, the buyer may appeal to the department of treasury within
10 30 days of notice to the buyer that an exemption was not
11 recorded. If the department of treasury determines that the
12 buyer qualifies for the exemption, the department of treasury
13 shall notify the assessor of the local tax collecting unit that
14 the exemption is granted and the assessor of the local tax col-
15 lecting unit or, if the tax roll is in the possession of the
16 county treasurer, the county treasurer shall correct the tax roll
17 to reflect the exemption. This subsection does not create a
18 cause of action at law or in equity against a closing statement
19 preparer who fails to provide homestead exemption affidavit and
20 rescission forms to a buyer and seller or who fails to file the
21 affidavit and rescission forms with the local tax collecting unit
22 when requested to do so by the buyer or seller.

23 (14) An owner who owned and occupied a homestead on May 1
24 for which the exemption was not on the tax roll may file an
25 appeal with the July board of review OR DECEMBER BOARD OF REVIEW
26 in the year for which the exemption was claimed or the
27 immediately succeeding ~~year or with the December board of review~~

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1 ~~in the year for which the exemption was claimed or the~~
2 ~~immediately succeeding year~~ 3 YEARS. If an appeal of a claim
3 for exemption that was not on the tax roll is received not later
4 than 5 days prior to the date of the December board of review,
5 the local tax collecting unit shall convene a December board of
6 review and consider the appeal pursuant to this section and
7 section 53b.

8 ~~-(15) In 1994 only, an owner who owns and occupies a home=~~
9 ~~stead after May 1 and before October 3 for which an affidavit was~~
10 ~~not filed in 1994 may file an affidavit as provided in subsection~~
11 ~~(2) not later than October 3, 1994. Upon receipt, the assessor~~
12 ~~shall exempt the property from 50% of the number of mills levied~~
13 ~~in 1994 under section 1211 of Act No. 451 of the Public Acts of~~
14 ~~1976 from which homesteads are exempt, not to exceed 50% of the~~
15 ~~total number of mills from which homesteads are exempt in 1994,~~
16 ~~on the December tax roll. If there is not a December levy of the~~
17 ~~tax under section 1211 of Act No. 451 of the Public Acts of 1976,~~
18 ~~the owner may appear in person or by mail before the December~~
19 ~~board of review and obtain a rebate as provided in section 53b of~~
20 ~~50% of the number of mills levied in 1994 under section 1211 of~~
21 ~~Act No. 451 of the Public Acts of 1976 from which homesteads are~~
22 ~~exempt, not to exceed 50% of the total number of mills from which~~
23 ~~homesteads are exempt in 1994. If an affidavit is not filed as~~
24 ~~provided in this subsection, the owner may appear in person or by~~
25 ~~mail before the July or December board of review in 1994 or the~~
26 ~~July or December board of review in 1995 and obtain a rebate of~~
27 ~~50% of the number of mills levied in 1994 under section 1211 of~~

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1 ~~Act No. 451 of the Public Acts of 1976 from which homesteads are~~
2 ~~exempt, not to exceed 50% of the total number of mills from which~~
3 ~~homesteads are exempt in 1994. This subsection does not apply~~
4 ~~unless the 1994 assessment of the property is based on the valua-~~
5 ~~tion of a homestead or a portion of a structure that has become a~~
6 ~~homestead. An affidavit filed under this subsection is subject~~
7 ~~to all the provisions of this section.~~

8 ~~(16) An owner who owns and occupies a homestead for which~~
9 ~~the exemption was on the tax roll in 1995 and each year after~~
10 ~~1995 and for which an exemption was not on the tax roll in 1994~~
11 ~~may appeal to the department of treasury before December 31, 1997~~
12 ~~to have an exemption placed on the 1994 tax roll if all of the~~
13 ~~following conditions are satisfied:~~

14 ~~(a) The owner owned and occupied that homestead on May 1,~~
15 ~~1994 or the owner owned and occupied that homestead after May 1,~~
16 ~~1994 but before October 3, 1994.~~

17 ~~(b) If a claim of exemption was denied in 1994, the owner~~
18 ~~did not timely appeal that denial as provided in this section.~~

19 ~~(c) The owner has owned and occupied that homestead since~~
20 ~~1994.~~

21 ~~(17) If the department of treasury grants a claim of exemp-~~
22 ~~tion for 1994 under subsection (16), the county treasurer with~~
23 ~~possession of the tax roll being adjusted shall amend the 1994~~
24 ~~tax roll to reflect the exemption and shall issue a corrected tax~~
25 ~~bill as follows:~~

26 ~~(a) If the owner owned and occupied that homestead on May 1,~~
27 ~~1994, that homestead is exempt from the tax levied in 1994 for~~

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1 ~~school operating purposes to the extent provided under~~
2 ~~section 1211 of Act No. 451 of the Public Acts of 1976 pursuant~~
3 ~~to subsection (1).~~

4 ~~(b) If the owner owned and occupied that homestead after May~~
5 ~~1, 1994 but before October 3, 1994, that homestead is exempt from~~
6 ~~50% of the number of mills levied in 1994 under section 1211 of~~
7 ~~Act No. 451 of the Public Acts of 1976 pursuant to~~
8 ~~subsection (14).~~

9 ~~-(18) If the department of treasury denies a claim of exemp-~~
10 ~~tion for 1994 under subsection (16), an owner may appeal that~~
11 ~~denial to the residential and small claims division of the~~
12 ~~Michigan tax tribunal within 35 days of that denial.~~

13 ~~(15) -(19)~~ If the assessor or treasurer of the local tax
14 collecting unit believes that the department of treasury errone-
15 ously denied a claim for exemption, the assessor or treasurer may
16 submit written information supporting the owner's claim for
17 exemption to the department of treasury within 35 days of the
18 owner's receipt of the notice denying the claim for exemption.
19 If, after reviewing the information provided, the department of
20 treasury determines that the claim for exemption was erroneously
21 denied, the department of treasury shall grant the exemption and
22 the tax roll shall be amended to reflect the exemption.

23 ~~(16) -(20)~~ If granting the exemption under this section
24 results in an overpayment of the tax, a rebate, including any
25 interest paid, shall be made to the taxpayer by the local tax
26 collecting unit if the local tax collecting unit has possession
27 of the tax roll or by the county treasurer if the county has

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1 possession of the tax roll within 30 days of the date the
2 exemption is granted. The rebate shall be without interest.

3 (17) ~~-(21)-~~ If an exemption under this section is errone-
4 ously granted, an owner may request in writing that the depart-
5 ment of treasury withdraw the exemption. If an owner requests
6 that an exemption be withdrawn, the department of treasury shall
7 issue an order notifying the local assessor that the exemption
8 issued under this section has been denied based on the owner's
9 request. If an exemption is withdrawn, the property that had
10 been subject to that exemption shall be immediately placed on the
11 tax roll by the local tax collecting unit if the local tax col-
12 lecting unit has possession of the tax roll or by the county
13 treasurer if the county has possession of the tax roll as though
14 the exemption had not been granted. A corrected tax bill shall
15 be issued for the tax year being adjusted by the local tax col-
16 lecting unit if the local tax collecting unit has possession of
17 the tax roll or by the county treasurer if the county has posses-
18 sion of the tax roll. If an owner requests that an exemption
19 under this section be withdrawn before that owner is contacted in
20 writing by either the local assessor or the department of trea-
21 sury regarding that owner's eligibility for the exemption and
22 that owner pays the corrected tax bill issued under this subsec-
23 tion within 30 days after the corrected tax bill is issued, that
24 owner is not liable for any penalty or interest on the additional
25 tax. An owner who pays a corrected tax bill issued under this
26 subsection more than 30 days after the corrected tax bill is
27 issued is liable for the penalties and interest that would have

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1 accrued if the exemption had not been granted from the date the
2 taxes were originally levied.

3 (18) ~~-(22)-~~ For tax years beginning on and after January 1,
4 1994, a cooperative housing corporation is entitled to a full or
5 partial exemption under this section for the tax year in which
6 the cooperative housing corporation files all of the following
7 with the local tax collecting unit in which the cooperative hous-
8 ing corporation is located if filed on or before May 1 of the tax
9 year, or for the tax year following the year in which all of the
10 following are filed if filed after May 1 of the tax year:

11 (a) An affidavit form.

12 (b) A statement of the total number of units owned by the
13 cooperative housing corporation and occupied as the principal
14 residence of a tenant stockholder as of the date of the filing
15 under this subsection.

16 (c) A list that includes the name, address, and social
17 security number of each tenant stockholder of the cooperative
18 housing corporation occupying a unit in the cooperative housing
19 corporation as his or her principal residence as of the date of
20 the filing under this subsection.

21 (d) A statement of the total number of units of the coopera-
22 tive housing corporation on which an exemption under this section
23 was claimed and that were transferred in the tax year immediately
24 preceding the tax year in which the filing under this section was
25 made.

26 Sec. 53b. (1) If there has been a clerical error or a
27 mutual mistake of fact relative to the correct assessment

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1 figures, the rate of taxation, or the mathematical computation
2 relating to the assessing of taxes, the clerical error or mutual
3 mistake of fact shall be verified by the local assessing officer
4 and approved by the board of review at a meeting held for the
5 purposes of this section on Tuesday following the second Monday
6 in December and, for summer property taxes, on Tuesday following
7 the third Monday in July. If there is not a levy of summer prop-
8 erty taxes, the board of review may meet for the purposes of this
9 section on Tuesday following the third Monday in July. If
10 approved, the board of review shall file an affidavit within 30
11 days relative to the clerical error or mutual mistake of fact
12 with the proper officials who are involved with the assessment
13 figures, rate of taxation, or mathematical computation and all
14 affected official records shall be corrected. If the clerical
15 error or mutual mistake of fact results in an overpayment or
16 underpayment, the rebate, including any interest paid, shall be
17 made to the taxpayer or the taxpayer shall be notified and pay-
18 ment made within 30 days of the notice. A rebate shall be with-
19 out interest. The county treasurer may deduct the rebate from
20 the appropriate tax collecting unit's subsequent distribution of
21 taxes. The county treasurer shall bill to the appropriate tax
22 collecting unit the tax collecting unit's share of taxes
23 rebated. ~~—A—~~ EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (6), A
24 correction under this subsection may be made in the year in which
25 the error was made or in the following year only.
26 (2) Action pursuant to this section may be initiated by the
27 taxpayer or the assessing officer.

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1 (3) The board of review meeting in July and December shall
2 meet only for the purpose described in subsection (1) and to hear
3 appeals provided for in sections 7u, 7cc, and 7ee. If an exemp-
4 tion under section 7u is approved, the board of review shall file
5 an affidavit with the proper officials involved in the assessment
6 and collection of taxes and all affected official records shall
7 be corrected. If an appeal under section 7cc or 7ee results in a
8 determination that an overpayment has been made, the board of
9 review shall file an affidavit and a rebate shall be made at the
10 times and in the manner provided in subsection (1). Except as
11 otherwise provided in sections 7cc and 7ee, a correction under
12 this subsection shall be made for the year in which the appeal is
13 made only. If the board of review grants an exemption or pro-
14 vides a rebate for property under section 7cc or 7ee as provided
15 in this subsection, the board of review shall require the owner
16 to execute the affidavit provided for in section 7cc or 7ee and
17 shall forward a copy of any section 7cc affidavits to the depart-
18 ment of treasury.

19 (4) If an exemption under section 7cc is granted by the
20 board of review under this section, the provisions of
21 section 7cc(6) through (8) apply. If an exemption under
22 section 7cc is not granted by the board of review under this sec-
23 tion, the owner may appeal that decision in writing to the
24 department of treasury within 35 days of the board of review's
25 denial and the appeal shall be conducted as provided in
26 section 7cc(7).

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1 (5) An owner or assessor may appeal a decision of the board
2 of review under this section regarding an exemption under
3 section 7ee to the residential and small claims division of the
4 Michigan tax tribunal. An owner is not required to pay the
5 amount of tax in dispute in order to receive a final determina-
6 tion of the residential and small claims division of the Michigan
7 tax tribunal. However, interest and penalties, if any, shall
8 accrue and be computed based on interest and penalties that would
9 have accrued from the date the taxes were originally levied as if
10 there had not been an exemption.

11 (6) A CORRECTION UNDER THIS SECTION THAT GRANTS A HOMESTEAD
12 EXEMPTION PURSUANT TO SECTION 7CC(14) MAY BE MADE FOR THE YEAR IN
13 WHICH THE APPEAL WAS FILED AND THE 3 IMMEDIATELY PRECEDING TAX
14 YEARS.