

HOUSE BILL No. 4459

March 13, 2001, Introduced by Reps. Lemmons, Rocca, Richardville, Pappageorge, Garcia, Thomas, Allen, Hardman, Garza, Shackleton, Scranton, Gilbert, Hager, Stamas, Caul, Hart, Van Woerkom, Meyer, Faunce, Tabor, George, Vear, Mead, Stewart, Cameron Brown, Vander Roest, Mortimer, DeWeese, Kooiman, Toy, Julian, Voorhees, Kuipers, Gosselin, Richner, Jelinek, Pumford, Rivet, Kilpatrick, Stallworth, Reeves, Woodward, Gielegheem, Minore, Bogardus, Hale, Williams, Phillips and Clark and referred to the Committee on Tax Policy.

A bill to amend 1992 PA 147, entitled
"Neighborhood enterprise zone act,"
by amending section 4 (MCL 207.774), as amended by 1996 PA 242.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The owner or developer or prospective owner or
2 developer of a proposed new facility or an owner or developer or
3 prospective developer proposing to rehabilitate property located
4 in a neighborhood enterprise zone may file an application for a
5 neighborhood enterprise zone certificate with the clerk of the
6 local governmental unit. The application shall be filed in the
7 manner and form prescribed by the commission. Except as provided
8 in subsection (2), the application shall be filed before a build-
9 ing permit is issued for the new construction or rehabilitation
10 of the facility.

1 (2) An application may be filed after a building permit is
2 issued only if 1 or more of the following apply:

3 (a) For the rehabilitation of a facility if the area in
4 which the facility is located is designated as a neighborhood
5 enterprise zone by the governing body of the local governmental
6 unit in the calendar year 1992 and if the building permit is
7 issued for the rehabilitation before December 31, 1994 and after
8 the date on which the area in which the facility is located was
9 designated as a neighborhood enterprise zone by the governing
10 body of the local governmental unit.

11 (b) For the construction of a new facility if the area in
12 which the new facility is located is designated as a neighborhood
13 enterprise zone by the governing body of the local governmental
14 unit in calendar year 1992 or 1993 and if the building permit is
15 issued for that new facility before December 31, 1995 and after
16 January 1, 1993.

17 (c) FOR THE CONSTRUCTION OF A NEW FACILITY IF THE AREA IN
18 WHICH THE NEW FACILITY IS LOCATED IS DESIGNATED AS A NEIGHBORHOOD
19 ENTERPRISE ZONE BY THE GOVERNING BODY OF THE LOCAL GOVERNMENTAL
20 UNIT IN JULY 1997 AND IF THE BUILDING PERMIT IS ISSUED FOR THAT
21 NEW FACILITY ON FEBRUARY 3, 1998.

22 (3) The application shall contain or be accompanied by all
23 of the following:

24 (a) A general description of the new facility or proposed
25 rehabilitated facility.

26 (b) The dimensions of the parcel on which the new facility
27 or proposed rehabilitated facility is or is to be located.

1 (c) The general nature and extent of the construction to be
2 undertaken.

3 (d) A time schedule for undertaking and completing the reha-
4 bilitation of property or the construction of the new facility.

5 (e) Any other information required by the local governmental
6 unit.

7 (4) IF THE ENACTMENT OF THE AMENDATORY ACT THAT ADDED THIS
8 SUBSECTION RESULTS IN AN OVERPAYMENT OF AD VALOREM PROPERTY TAXES
9 UNDER THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.1 TO
10 211.157, A REBATE, INCLUDING ANY INTEREST PAID, SHALL BE MADE TO
11 THE TAXPAYER BY THE LOCAL TAX COLLECTING UNIT IF THE LOCAL TAX
12 COLLECTING UNIT HAS POSSESSION OF THE TAX ROLL OR BY THE COUNTY
13 TREASURER IF THE COUNTY HAS POSSESSION OF THE TAX ROLL WITHIN 30
14 DAYS OF THE DATE THE REQUEST IS MADE. THE REBATE SHALL BE WITH-
15 OUT INTEREST.

16 Enacting section 1. This amendatory act is retroactive and
17 is effective December 31, 1999.