

HOUSE BILL No. 6330

September 18, 2002, Introduced by Rep. Clarke and referred to the Committee on Commerce.

A bill to amend 1992 PA 147, entitled
"Neighborhood enterprise zone act,"
by amending section 4 (MCL 207.774), as amended by 2001 PA 93.

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.

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

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

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

(c) For the construction of a new facility if the area in which the new facility is located is designated as a neighborhood enterprise zone by the governing body of the local governmental unit in July 1997 and if the building permit is issued for that new facility on February 3, 1998.

(D) FOR A NEW FACILITY OR A REHABILITATED FACILITY IF THE AREA IN WHICH THE NEW FACILITY OR REHABILITATED FACILITY IS LOCATED WAS DESIGNATED AS A NEIGHBORHOOD ENTERPRISE ZONE BY THE GOVERNING BODY OF THE LOCAL GOVERNMENTAL UNIT IN OCTOBER 1994 AND IF THE BUILDING PERMIT WAS ISSUED FOR THAT FACILITY ON OR BEFORE APRIL 25, 1997.

1 (E) FOR A NEW FACILITY OR A REHABILITATED FACILITY IF THE
2 AREA IN WHICH THE NEW FACILITY OR REHABILITATED FACILITY IS
3 LOCATED WAS DESIGNATED AS A NEIGHBORHOOD ENTERPRISE ZONE BY THE
4 GOVERNING BODY OF THE LOCAL GOVERNMENTAL UNIT IN JULY 1996 AND IF
5 THE BUILDING PERMIT WAS ISSUED FOR THAT FACILITY ON OR BEFORE
6 JULY 3, 2001.

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

9 (a) A general description of the new facility or proposed
10 rehabilitated facility.

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

13 (c) The general nature and extent of the construction to be
14 undertaken.

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

17 (e) Any other information required by the local governmental
18 unit.

19 (4) Notwithstanding any other provisions of this act, for
20 any certificate issued as a result of the enactment of the amen-
21 datory act that added ~~this~~ subsection (2)(C), the effective
22 date of the certificate shall be the first day of the tax year
23 following the year the certificate is approved by the
24 commission.

25 (5) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS ACT, FOR
26 ANY CERTIFICATE ISSUED AS A RESULT OF THE ENACTMENT OF THE
27 AMENDATORY ACT THAT ADDED SUBSECTION (2)(D) AND (E), THE

- 1 EFFECTIVE DATE OF THE CERTIFICATE SHALL BE DECEMBER 31 IN THE
- 2 YEAR IMMEDIATELY PRECEDING THE YEAR IN WHICH THE CERTIFICATE IS
- 3 APPROVED BY THE COMMISSION.