

Use tax; exemptions; definitions of "abandoned vehicle" and "sanctuary"; alter.

USE TAX: Exemptions; VEHICLES: Abandoned; RELIGION:

A bill to amend 1937 PA 94, entitled
"Use tax act,"
by amending sections 4j and 4m (MCL 205.94j and 205.94m), section
4j as added by 1989 PA 141 and section 4m as added by 1998 PA
275.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4j. (1) The tax levied under this act does not apply
2 to a motor vehicle acquired by a towing company from a police
3 agency as satisfaction for towing and storage charges if the
4 motor vehicle was impounded by the police agency or determined to
5 be an abandoned vehicle or an abandoned scrap vehicle by the
6 police agency.

7 (2) As used in this section:

8 (a) "Abandoned vehicle" means a vehicle that has remained on
9 public property or any other place open to travel by the public

1 without the consent of the local police agency for a period of
2 ~~48~~ 42 hours after a police agency has affixed a written notice
3 to the vehicle.

4 (b) "Abandoned scrap vehicle" means a vehicle that meets all
5 of the following requirements:

6 (i) Is on public property or any other place open to travel
7 by the public.

8 (ii) Is 7 or more years old.

9 (iii) Is apparently inoperable or is extensively damaged to
10 the extent that the cost of repairing the vehicle so that it is
11 operational and safe would exceed the fair market value of that
12 vehicle.

13 (iv) Is not currently registered pursuant to the Michigan
14 vehicle code, ~~Act No. 300 of the Public Acts of 1949, being sec-~~
15 ~~tions 257.1 to 257.923 of the Michigan Compiled Laws~~ 1949 PA
16 300, MCL 257.1 TO 257.923.

17 (v) Is not removed within ~~48~~ 42 hours after a police
18 agency has affixed a written notice to the vehicle.

19 Sec. 4m. (1) The tax levied under this act does not apply
20 to tangible personal property acquired by a person engaged in the
21 business of constructing, altering, repairing, or improving real
22 estate for others if the property is to be affixed to or made a
23 structural part of a sanctuary.

24 (2) As used in this section:

25 (a) "Regularly organized church or house of religious
26 worship" means a religious organization qualified under section
27 501(c)(3) of the internal revenue code of 1986.

1 (b) "Sanctuary" means ~~only~~ that portion of a building that
2 is owned and occupied by a regularly organized church or house of
3 religious worship that is used predominantly and regularly for
4 public worship. Sanctuary includes a sanctuary to be constructed
5 that will be owned and occupied by a regularly organized church
6 or house of religious worship and that will be used predominantly
7 and regularly for public worship.