

# HOUSE BILL No. 5140

October 7, 2003, Introduced by Reps. Plakas, Sak, Farrah, Gleason, Hood, O'Neil, Sheltroun, Vagnozzi, Spade, Law, Condino, Woodward, Wojno, Paletko, Pappageorge, Anderson, Zelenko, Phillips, Williams, Brown and Kolb 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 2002 PA 608.

## 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~~  
8 ~~provided in subsection (2), the application shall be filed before~~  
9 ~~a building permit is issued for the new construction or~~  
10 ~~rehabilitation of the facility.~~

11       ~~(2) An application may be filed after a building permit is~~

1 ~~issued only if 1 or more of the following apply:~~

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

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

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

21 ~~—— (d) For a new facility or a rehabilitated facility if the~~  
22 ~~area in which the new facility or rehabilitated facility is~~  
23 ~~located was designated as a neighborhood enterprise zone by the~~  
24 ~~governing body of the local governmental unit in July 1996 and if~~  
25 ~~the building permit was issued for that facility on or before~~  
26 ~~July 3, 2001.~~

27 (2) ~~—(3)—~~ The application shall contain or be accompanied by

1 all of the following:

2 (a) A general description of the new facility or proposed  
3 rehabilitated facility.

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

6 (c) The general nature and extent of the construction to be  
7 undertaken.

8 (d) A time schedule for undertaking and completing the  
9 rehabilitation of property or the construction of the new  
10 facility.

11 (e) Any other information required by the local governmental  
12 unit.

13 ~~(4) Notwithstanding any other provisions of this act, for~~  
14 ~~any certificate issued as a result of the enactment of the~~  
15 ~~amendatory act that added subsection (2)(c), the effective date~~  
16 ~~of the certificate shall be the first day of the tax year~~  
17 ~~following the year the certificate is approved by the~~  
18 ~~commission.~~

19 ~~— (5) Notwithstanding any other provisions of this act, for any~~  
20 ~~certificate issued as a result of the enactment of the amendatory~~  
21 ~~act that added subsection (2)(d), the effective date of the~~  
22 ~~certificate shall be January 1, 2001.~~