

SENATE BILL No. 1302

June 16, 2004, Introduced by Senator PATTERSON and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

A bill to amend 1984 PA 385, entitled "Technology park development act," by amending section 12 (MCL 207.712), as amended by 1996 PA 445.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 12. (1) Except as provided in ~~subsection~~ **subsections**
 2 (8) **and (9)**, there is levied upon every owner of record and every
 3 user or occupant, if known, of a facility to which a certificate
 4 is issued, a specific tax to be known as a technology park
 5 facilities tax.

6 (2) The amount of the technology park facilities tax in each
 7 year shall be determined by multiplying the state equalized
 8 valuation of the facility excluding the land and the inventory
 9 personal property by the sum of 1/2 of the total mills levied as
 10 ad valorem taxes for that year by all taxing units within which
 11 the facility is located other than mills levied by a local or

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1 intermediate school district within which the facility is located
2 for school operating purposes or mills levied under the state
3 education tax act, ~~Act No. 331 of the Public Acts of 1993, being~~
4 ~~sections 211.901 to 211.906 of the Michigan Compiled Laws 1993~~
5 **PA 331, MCL 211.901 to 211.906**, plus 1/2 of the number of mills
6 levied for school operating purposes in 1993.

7 (3) The technology park facilities tax shall be collected,
8 disbursed, and assessed in accordance with this act.

9 (4) The technology park facilities tax shall be an annual tax
10 payable at the same time, in the same manner, and to the same
11 officer or officers as taxes imposed under the general property
12 tax act, ~~Act No. 206 of the Public Acts of 1893, being sections~~
13 ~~211.1 to 211.157 of the Michigan Compiled Laws 1893 PA 206, MCL~~
14 **211.1 to 211.157**, are payable. Except as otherwise provided in
15 this section, the officer or officers shall disburse technology
16 park facilities tax payments received each year to the state,
17 cities, townships, villages, school districts, counties,
18 community and junior colleges, and authorities, at the times and
19 in the proportions required by law for the disbursement of taxes
20 collected under ~~Act No. 206 of the Public Acts of 1893~~ **the**
21 **general property tax act, 1893 PA 206, MCL 211.1 to 211.157**. To
22 determine the proportion for the disbursement of taxes under this
23 subsection and for attribution of taxes under subsection (6) for
24 taxes collected pursuant to technology park facilities exemption
25 certificates issued before January 1, 1994, the number of mills
26 levied for local school district operating purposes to be used in
27 the calculation shall equal the number of mills for local school

1 district operating purposes levied in 1993 minus the number of
2 mills levied under ~~Act No. 331 of the Public Acts of 1993~~ **the**
3 **state education tax act, 1993 PA 331, MCL 211.901 to 211.906**, for
4 the year for which the disbursement is calculated.

5 (5) Except as provided in subsection (6), all or a portion of
6 the amount to be disbursed to intermediate school districts
7 receiving state aid under sections 56, 62, and 81 of the state
8 school aid act of 1979, ~~Act No. 94 of the Public Acts of 1979,~~
9 ~~being sections 388.1656, 388.1662, and 388.1681 of the Michigan~~
10 ~~Compiled Laws~~ **1979 PA 94, MCL 388.1656, 388.1662, and 388.1681,**
11 as determined on the basis of the tax rates being utilized to
12 compute the amount of state aid, shall be paid to the state
13 treasury and credited to the state school aid fund established by
14 section 11 of article IX of the state constitution of 1963.

15 (6) For technology park facilities taxes levied after 1993
16 for school operating purposes, the amount to be disbursed to a
17 local school district shall be paid to the state treasury and
18 credited to the state school aid fund established by section 11
19 of article IX of the state constitution of 1963.

20 (7) The officer or officers shall send a copy of the amount
21 of disbursement made to each unit under this section to the
22 department on a form provided by the department.

23 (8) A facility located in a renaissance zone under the
24 Michigan renaissance zone act, ~~Act No. 376 of the Public Acts of~~
25 ~~1996, being sections 125.2681 to 125.2696 of the Michigan~~
26 ~~Compiled Laws~~ **1996 PA 376, MCL 125.2681 to 125.2696**, is exempt
27 from the technology park facilities tax levied under this act to

1 the extent and for the duration provided pursuant to ~~Act No. 376~~
2 ~~of the Public Acts of 1996~~ **the Michigan renaissance zone act,**
3 **1996 PA 376, MCL 125.2681 to 125.2696,** except for that portion of
4 the technology park facilities tax attributable to a special
5 assessment or a tax described in section 7ff(2) of the general
6 property tax act, ~~Act No. 206 of the Public Acts of 1893, being~~
7 ~~section 211.7ff of the Michigan Compiled Laws~~ **1893 PA 206, MCL**
8 **211.7ff.** The technology park facilities tax calculated under
9 this subsection shall be disbursed proportionately to the local
10 taxing unit or units that levied the special assessment or the
11 tax described in section 7ff(2) of ~~Act No. 206 of the Public~~
12 ~~Acts of 1893~~ **the general property tax act, 1893 PA 206, MCL**
13 **211.7ff.**

14 (9) Upon application for an exemption under this subsection
15 by a qualified start-up business, the governing body of a local
16 tax collecting unit may adopt a resolution to exempt a facility
17 of a qualified start-up business from the collection of the
18 technology park facilities tax levied under this act. The clerk
19 of the local tax collecting unit shall notify in writing the
20 assessor of the local tax collecting unit and the legislative
21 body of each taxing unit that levies ad valorem property taxes in
22 the local tax collecting unit. Before acting on the resolution,
23 the governing body of the local tax collecting unit shall afford
24 the assessor and a representative of the affected taxing units an
25 opportunity for a hearing. The application for exemption under
26 this subsection shall be in a form prescribed by the state tax
27 commission. If a resolution authorizing the exemption is adopted

1 as provided in this subsection, the facility owned or operated by
2 a qualified start-up business is exempt from the technology park
3 facilities tax levied under this act, except for that portion of
4 the technology park facilities tax attributable to a special
5 assessment or a tax described in section 7ff(2) of the general
6 property tax act, 1893 PA 206, MCL 211.7ff, for 5 consecutive
7 years beginning on the December 31 in the year in which the
8 qualified start-up business first claimed the credit under
9 section 31a of the single business tax act, 1975 PA 228, MCL
10 208.31a, or section 51f of the income tax act of 1967, 1967 PA
11 281, MCL 206.51f. A qualified start-up business exempt under
12 this subsection shall file an exemption affidavit with the
13 assessor of the local tax collecting unit. The exemption
14 affidavit shall be filed within 60 days of the qualified start-up
15 business becoming exempt under this subsection. The affidavit
16 shall be in a form prescribed by the state tax commission. The
17 technology park facilities tax calculated under this subsection
18 shall be disbursed proportionately to the taxing unit or units
19 that levied the special assessment or the tax described in
20 section 7ff(2) of the general property tax act, 1893 PA 206,
21 MCL 211.7ff. As used in this subsection, "qualified start-up
22 business" means that term as defined in section 31a of the single
23 business tax act, 1975 PA 228, MCL 208.31a.