

HOUSE BILL No. 4917

June 9, 2005, Introduced by Reps. Tobocman, Kooiman, Gosselin, Marleau, Vander Veen, Stewart, Hunter, Mayes, Clemente, Leland, Accavitti, Farrah, Kolb, Gaffney, Amos, Green, Moolenaar, Walker, Nofs, Pastor, Garfield, Robertson, Sak, Hildenbrand, Palsrok and Farhat and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1893 PA 206, entitled
"The general property tax act,"
by amending section 7ff (MCL 211.7ff), as amended by 1998 PA 498.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7ff. (1) For taxes levied after 1996, except as otherwise
2 provided in subsections (2) and (3) and except as limited in
3 subsections (4), (5), and (6), real property in a renaissance zone
4 and personal property located in a renaissance zone is exempt from
5 taxes collected under this act to the extent and for the duration
6 provided pursuant to the Michigan renaissance zone act, 1996 PA
7 376, MCL 125.2681 to 125.2696.

8 (2) Real and personal property in a renaissance zone is not
9 exempt from collection of the following:

10 (a) A special assessment levied by the local tax collecting

1 unit in which the property is located.

2 (b) Ad valorem property taxes specifically levied for the
3 payment of principal and interest of obligations approved by the
4 electors or obligations pledging the unlimited taxing power of the
5 local governmental unit.

6 (c) A tax levied under section 705, 1211c, or 1212 of the
7 revised school code, 1976 PA 451, MCL 380.705, 380.1211c, and
8 380.1212.

9 (3) Real property in a renaissance zone on which a casino is
10 operated and personal property of a casino located in a renaissance
11 zone is not exempt from the collection of taxes under this act. As
12 used in this subsection, "casino" means a casino regulated by this
13 state pursuant to the Michigan gaming control and revenue act, **THE**
14 Initiated Law of 1996, MCL 432.201 to 432.226, and all property
15 associated or affiliated with the operation of a casino, including,
16 but not limited to, a parking lot, hotel, motel, or retail store.

17 (4) For residential rental property in a renaissance zone, the
18 exemption provided under this section is only available if that
19 residential rental property is in substantial compliance with all
20 applicable state and local zoning, building, and housing laws,
21 ordinances, or codes and ~~the~~ **EITHER OF THE FOLLOWING OCCURS:**

22 (A) **THE** property owner files an affidavit before December 31
23 in the immediately preceding tax year with the treasurer of the
24 local tax collecting unit in which the property is located stating
25 that the property is in substantial compliance with all applicable
26 state and local zoning, building, and housing laws, ordinances, or
27 codes.

1 (B) BEGINNING DECEMBER 31, 2004, THE QUALIFIED LOCAL
2 GOVERNMENTAL UNIT IN WHICH THE RESIDENTIAL RENTAL PROPERTY IS
3 LOCATED DETERMINES THAT THE RESIDENTIAL RENTAL PROPERTY IS IN
4 SUBSTANTIAL COMPLIANCE WITH ALL APPLICABLE STATE AND LOCAL ZONING,
5 BUILDING, AND HOUSING LAWS, ORDINANCES, AND CODES ON TAX DAY AS
6 PROVIDED IN SECTION 2. IF THE QUALIFIED LOCAL GOVERNMENTAL UNIT IN
7 WHICH THE RESIDENTIAL RENTAL PROPERTY IS LOCATED DETERMINES THAT
8 THE RESIDENTIAL RENTAL PROPERTY IS IN SUBSTANTIAL COMPLIANCE WITH
9 ALL APPLICABLE STATE AND LOCAL ZONING, BUILDING, AND HOUSING LAWS,
10 ORDINANCES, AND CODES ON TAX DAY AS PROVIDED IN SECTION 2, THE
11 PROPERTY OWNER IS NOT REQUIRED TO FILE AN AFFIDAVIT UNDER
12 SUBDIVISION (A).

13 (5) Except as otherwise provided in subsection (6), personal
14 property is exempt under this section if that property is located
15 in a renaissance zone on tax day as provided in section 2 and was
16 located in that renaissance zone for not less than 50% of the
17 immediately preceding tax year. The written statement required
18 under section ~~18~~ 19 shall identify all personal property located
19 in a renaissance zone on ~~the~~ tax day **AS** provided in section 2 and
20 shall indicate whether that personal property was located in that
21 renaissance zone for 50% of the immediately preceding tax year.

22 (6) Personal property located in a renaissance zone on tax day
23 as provided in section 2 and located in that renaissance zone for
24 less than 50% of the immediately preceding tax year is exempt under
25 this section if an owner of the personal property files an
26 affidavit with the written statement required under section ~~18~~ 19
27 stating that the personal property will be located in that

1 renaissance zone for not less than 50% of the tax year for which
2 the exemption is claimed. The written statement required under
3 section ~~18~~ 19 shall identify all personal property located in
4 that renaissance zone on ~~the~~ tax day **AS** provided in section 2 and
5 identify that personal property for which an exemption is claimed
6 under this subsection.

7 (7) As used in this section:

8 (A) **"QUALIFIED LOCAL GOVERNMENTAL UNIT" MEANS THAT TERM AS**
9 **DEFINED IN SECTION 3 OF THE MICHIGAN RENAISSANCE ZONE ACT, 1996 PA**
10 **376, MCL 125.2683.**

11 (B) ~~-(a)-~~ "Renaissance zone" means that area designated a
12 renaissance zone under the Michigan renaissance zone act, 1996 PA
13 376, MCL 125.2681 to 125.2696.

14 (C) ~~-(b)-~~ "Residential rental property" means that portion of
15 real property not occupied by an owner of that real property that
16 is classified as residential real property under section 34c, is a
17 multiple-unit dwelling, or is a dwelling unit in a multiple purpose
18 structure, used for residential purposes, and all personal property
19 located in that real property.