

# HOUSE BILL No. 5049

July 13, 2005, Introduced by Rep. Bieda and referred to the Committee on Tax Policy.

A bill to amend 1933 PA 167, entitled  
"General sales tax act,"  
(MCL 205.51 to 205.78) by adding section 9a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 9A. (1) ANY OTHER PROVISION OF THIS ACT NOTWITHSTANDING,  
2        THE DEPARTMENT SHALL ESTABLISH A PILOT PROGRAM IN WHICH BOTH OF THE  
3        FOLLOWING OCCUR:

4        (A) PERSONS DESIGNATED UNDER SUBSECTION (2) SHALL  
5        ELECTRONICALLY SUBMIT A RETURN FOR EACH SALE AT RETAIL TO THE  
6        DEPARTMENT OR THE DEPARTMENT'S DESIGNEE. THE RETURN SHALL SHOW THE  
7        ENTIRE AMOUNT OF THE SALE AT RETAIL, THE GROSS PROCEEDS FROM THAT  
8        SALE AT RETAIL, THE ALLOWABLE DEDUCTIONS, IF ANY, AND THE AMOUNT OF  
9        TAX FOR WHICH HE OR SHE IS LIABLE ON THAT SALE AT RETAIL. THE

1 RETURN SHALL INCLUDE THE REMITTANCE FOR THE AMOUNT OF TAX FOR WHICH  
2 HE OR SHE IS LIABLE ON THAT SALE AT RETAIL.

3 (B) THE DEPARTMENT SHALL ISSUE AN ELECTRONICALLY GENERATED  
4 RECEIPT TO EACH CUSTOMER OF A TAXPAYER LIABLE FOR MAKING OUT A  
5 RETURN UNDER SUBDIVISION (A). THE RECEIPT SHALL INDICATE THAT THE  
6 TAXPAYER HAS ELECTRONICALLY REPORTED TO THE DEPARTMENT OR THE  
7 DEPARTMENT'S DESIGNEE THE ENTIRE AMOUNT OF THE SALE AT RETAIL, THE  
8 GROSS PROCEEDS FROM THAT SALE AT RETAIL, THE ALLOWABLE DEDUCTIONS,  
9 IF ANY, THE AMOUNT OF TAX FOR WHICH HE OR SHE IS LIABLE ON THAT  
10 SALE AT RETAIL, AND THE AMOUNT OF TAX REMITTED FOR THAT SALE AT  
11 RETAIL.

12 (2) THE DEPARTMENT SHALL RANDOMLY SELECT TAXPAYERS TO  
13 PARTICIPATE IN THE PILOT PROGRAM UNDER THIS SECTION. TAXPAYERS  
14 SELECTED SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THOSE  
15 TAXPAYERS WHO HAVE FAILED, REFUSED, OR NEGLECTED TO PAY ANY TAX,  
16 PENALTY, OR INTEREST DUE UNDER THIS ACT.

17 (3) THE PILOT PROGRAM UNDER THIS SECTION SHALL BE IMPLEMENTED  
18 AND ADMINISTERED WITH EXISTING DEPARTMENT FUNDS. NO TAXPAYER SHALL  
19 BE LIABLE FOR ANY COSTS ASSOCIATED WITH THE IMPLEMENTATION OR  
20 ADMINISTRATION OF THE PILOT PROGRAM UNDER THIS SECTION, INCLUDING  
21 ANY COSTS FOR ELECTRONIC EQUIPMENT.