

SUBSTITUTE FOR  
HOUSE BILL NO. 5463

A bill to amend 2007 PA 36, entitled  
"Michigan business tax act,"  
by amending section 410 (MCL 208.1410).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 410. (1) For tax years that begin on or after January 1,  
2   2008 and end before January 1, 2013, an eligible taxpayer may claim  
3   a credit against the tax imposed by this act equal to the  
4   following:

5           (a) For the 2008 through 2010 tax years, 65% of the eligible  
6   taxpayer's total tax liability imposed under this act not to exceed  
7   \$1,700,000.00.

8           (b) For the 2011 tax year, 45% of the eligible taxpayer's

1 total tax liability imposed under this act not to exceed  
2 \$1,180,000.00.

3 (c) For the 2012 tax year, 25% of the eligible taxpayer's  
4 total tax liability imposed under this act not to exceed  
5 \$650,000.00.

6 (2) As used in this section, "eligible taxpayer" means a  
7 taxpayer that satisfies each ~~EITHER~~ of the following:

8 (a) Is, collectively or individually, including through  
9 affiliated companies, an owner, operator, manager, licensee,  
10 lessee, or tenant of more than 1 facility or stadium **IN THIS STATE**,  
11 including grounds and ancillary facilities, that has a capacity of  
12 at least 14,000 patrons **PER FACILITY** and is primarily used for  
13 professional sporting events or other entertainment.

14 ~~—— (b) The owner, operator, manager, licensee, lessee, or tenant~~  
15 ~~as described in subdivision (a) AND~~ has made a capital investment  
16 of not less than \$250,000,000.00, collectively or individually,  
17 including through affiliated companies, into the construction cost  
18 of a facility or stadium for which the taxpayer qualifies for this  
19 credit.

20 **(B) ~~(c) The~~ IS COLLECTIVELY OR INDIVIDUALLY, INCLUDING THROUGH**  
21 **AFFILIATED COMPANIES, AN** owner, operator, manager, licensee,  
22 lessee, or tenant ~~as described in subdivision (a)~~ **OF MORE THAN 1**  
23 **FACILITY OR STADIUM IN THIS STATE, INCLUDING GROUNDS AND ANCILLARY**  
24 **FACILITIES, THAT HAS A CAPACITY OF AT LEAST 14,000 PATRONS PER**  
25 **FACILITY AND IS PRIMARILY USED FOR PROFESSIONAL SPORTING EVENTS OR**  
26 **OTHER ENTERTAINMENT, AND** has not received proceeds from a state  
27 appropriation ~~,~~ **OR** a public bond issue from a local unit of

1 government or public authority, ~~or a state or local tax or fee to~~  
2 assist in the construction or debt retirement of the facility,  
3 ~~other than~~ **EXCLUDING A TAX ABATEMENT, OTHER WAIVER OF** a state or  
4 local tax or fee, **OR A STATE OR LOCAL TAX OR FEE** from a public  
5 entity for road or infrastructure assistance.

6 Enacting section 1. This amendatory act is retroactive and  
7 effective for taxes levied on and after January 1, 2008.