

**SUBSTITUTE FOR
HOUSE BILL NO. 5492**

A bill to amend 2002 PA 593, entitled
"Michigan next energy authority act,"
by amending section 5 (MCL 207.825).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 5. (1) Except as otherwise provided in this act, the
2 authority may do all things necessary to implement the purposes of
3 this act, including, but not limited to, all of the following:
- 4 (a) Adopt, amend, and repeal bylaws for the regulation of its
5 affairs and the conduct of its business.
- 6 (b) Adopt an official seal and alter the seal at the pleasure
7 of the board.
- 8 (c) Sue and be sued in its own name and plead and be
9 impleaded.
- 10 (d) Solicit and accept gifts, grants, loans, and other

1 assistance from any person or the federal, the state, or a local
2 government or any agency of the federal, the state, or a local
3 government or participate in any other way in any federal, state,
4 or local government program.

5 (e) Research and publish studies, investigations, surveys, and
6 findings on the development and use of alternative energy
7 technology.

8 (f) Promote the research, development, and manufacturing of
9 alternative energy technology.

10 (g) Do all other things necessary to promote and increase the
11 research, development, and manufacturing of alternative energy
12 technology and to otherwise achieve the objectives and purposes of
13 the authority.

14 (2) The authority shall certify all of the following personal
15 property and shall provide proof of certification to the assessor
16 of the local tax collecting unit in which the following personal
17 property is located:

18 (a) Alternative energy marine propulsion systems, alternative
19 energy systems, and alternative energy vehicles that meet both of
20 the following requirements:

21 (i) Were not previously subject to the collection of taxes
22 under the general property tax act, 1893 PA 206, MCL 211.1 to
23 ~~211.157~~ 211.155.

24 (ii) Were not previously exempt from the collection of taxes
25 under the general property tax act, 1893 PA 206, MCL 211.1 to
26 ~~211.157~~ 211.155, except for personal property exempt under section
27 9c or 9i of the general property tax act, 1893 PA 206, MCL 211.9c

1 and 211.9i.

2 (b) Tangible personal property of a business that is an
3 alternative energy technology business that meets both of the
4 following requirements:

5 (i) Was not previously subject to the collection of taxes under
6 the general property tax act, 1893 PA 206, MCL 211.1 to ~~211.157~~
7 **211.155**.

8 (ii) Was not previously exempt from the collection of taxes
9 under the general property tax act, 1893 PA 206, MCL 211.1 to
10 ~~211.157~~**211.155**, except for personal property exempt under section
11 9c or 9i of the general property tax act, 1893 PA 206, MCL 211.9c
12 and 211.9i.

13 (c) Tangible personal property of a business that is not an
14 alternative energy technology business that is used solely for the
15 purpose of researching, developing, or manufacturing an alternative
16 energy technology that meets both of the following requirements:

17 (i) Was not previously subject to the collection of taxes under
18 the general property tax act, 1893 PA 206, MCL 211.1 to ~~211.157~~
19 **211.155**.

20 (ii) Was not previously exempt from the collection of taxes
21 under the general property tax act, 1893 PA 206, MCL 211.1 to
22 ~~211.157~~**211.155**, except for personal property exempt under section
23 9c or 9i of the general property tax act, 1893 PA 206, MCL 211.9c
24 and 211.9i.

25 (3) The authority shall certify and provide proof of
26 certification of the following business entities:

27 (a) An alternative energy technology business. The authority

1 shall provide proof of certification to the assessor of the local
2 tax collecting unit in which the alternative energy technology
3 business is located.

4 (b) A taxpayer as an eligible taxpayer for the purposes of
5 claiming the credit under section 39e(2) of the **FORMER** single
6 business tax act, 1975 PA 228, ~~MCL 208.39e~~ **OR UNDER SECTION 429 OF**
7 **THE MICHIGAN BUSINESS TAX ACT, 2007 PA 36, MCL 208.1429.**

8 (4) The authority shall certify and provide proof of
9 certification of the qualified business activity of a taxpayer
10 eligible under subsection (3)(b). As used in this subsection,
11 "qualified business activity" means that term as defined in section
12 39e of the **FORMER** single business tax act, 1975 PA 228, ~~MCL 208.39e~~
13 **OR IN SECTION 429 OF THE MICHIGAN BUSINESS TAX ACT, 2007 PA 36, MCL**
14 **208.1429.**

15 (5) The authority shall not operate an alternative energy
16 technology business or otherwise engage in the manufacturing of any
17 commercial products.