

HOUSE BILL No. 6493

September 23, 2008, Introduced by Rep. Stakoe and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding chapter 3B.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER 3B

SEC. 59. (1) THE DEFINITIONS IN SECTION 11 APPLY TO THIS CHAPTER UNLESS OTHERWISE PROVIDED IN THIS CHAPTER.

(2) AS USED IN THIS CHAPTER:

(A) "HOUSEHOLD INCOME" MEANS THAT TERM AS DEFINED IN SECTION 508 OF THE INCOME TAX ACT OF 1967, 1967 PA 281, MCL 206.508.

(B) "LOW AND MODERATE INCOME" MEANS HOUSEHOLD INCOME OF LESS THAN 80% OF THE AREA MEDIAN GROSS INCOME.

(C) "SUPPORTIVE HOUSING PROPERTY" MEANS PROPERTY THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

1 (i) IS DEVELOPED BY AN ORGANIZATION EXEMPT UNDER SECTION
2 501(C) (3) OF THE INTERNAL REVENUE CODE, 26 USC 501.

3 (ii) IS OCCUPIED SOLELY BY PERSONS WITH LOW AND MODERATE
4 INCOMES WHO ARE ELIGIBLE RECIPIENTS OF THE PUBLIC MENTAL HEALTH
5 SYSTEM.

6 (iii) CONSISTS OF NOT MORE THAN 6 INDIVIDUAL LIVING UNITS.

7 SEC. 59A. (1) NOT MORE THAN 90 DAYS AFTER AN OWNER OF PROPERTY
8 SUBMITS AN APPLICATION, THE AUTHORITY SHALL DETERMINE IF PROPERTY
9 IS SUPPORTIVE HOUSING PROPERTY. THE APPLICATION SHALL BE IN A FORM
10 PROVIDED BY THE AUTHORITY.

11 (2) IF THE AUTHORITY DETERMINES THAT PROPERTY IS SUPPORTIVE
12 HOUSING PROPERTY AS DEFINED IN THIS CHAPTER, THE AUTHORITY SHALL,
13 SUBJECT TO THE LIMITATIONS AND RESTRICTIONS PROVIDED IN SECTION
14 59B, CERTIFY THAT PROPERTY AS SUPPORTIVE HOUSING PROPERTY.

15 (3) AN OWNER OF PROPERTY FOR WHICH CERTIFICATION AS SUPPORTIVE
16 HOUSING PROPERTY IS DENIED OR A LOCAL UNIT OF GOVERNMENT IN WHICH
17 PROPERTY CERTIFIED AS SUPPORTIVE HOUSING PROPERTY IS LOCATED MAY
18 APPEAL THE AUTHORITY'S DETERMINATION TO THE CIRCUIT COURT OF THE
19 COUNTY IN WHICH THE PROPERTY IS LOCATED.

20 SEC. 59B. (1) IN EACH YEAR, THE AUTHORITY SHALL NOT CERTIFY A
21 PARCEL OF PROPERTY AS SUPPORTIVE HOUSING PROPERTY IF ALL PARCELS OF
22 PROPERTY PREVIOUSLY CERTIFIED AS SUPPORTIVE HOUSING PROPERTY IN
23 THAT YEAR CONTAIN, IN THE AGGREGATE, MORE THAN 250 INDIVIDUAL
24 LIVING UNITS.

25 (2) IN EACH YEAR, 50% OF THE PARCELS OF PROPERTY THE AUTHORITY
26 CERTIFIES AS SUPPORTIVE HOUSING PROPERTY SHALL BE EXISTING PROJECTS
27 AND 50% OF THE PARCELS OF PROPERTY THE AUTHORITY CERTIFIES AS

1 SUPPORTIVE HOUSING PROPERTY SHALL BE NEW PROJECTS. HOWEVER, IF THE
2 NUMBER OF APPLICATIONS FOR CERTIFICATION FOR EXISTING PROJECTS
3 ACCOUNTS FOR LESS THAN 50% OF THE NUMBER OF PARCELS OF PROPERTY
4 THAT MAY BE CERTIFIED AS SUPPORTIVE HOUSING PROPERTY, THE AUTHORITY
5 MAY CERTIFY NEW PROJECTS FOR THE REMAINING NUMBER OF PARCELS OF
6 PROPERTY.

7 (3) SUBJECT TO SUBSECTION (2), THE AUTHORITY SHALL CERTIFY
8 PROPERTY AS SUPPORTIVE HOUSING PROPERTY ON A FIRST-COME, FIRST-
9 SERVED BASIS.

10 Enacting section 1. This amendatory act does not take effect
11 unless all of the following bills of the 94th Legislature are
12 enacted into law:

13 (a) House Bill No. 5437.

14 (b) Senate Bill No. _____ or House Bill No. 6492 (request no.
15 08307'08).