

HOUSE BILL No. 6508

September 24, 2008, Introduced by Rep. Clemente and referred to the Committee on New Economy and Quality of Life.

A bill to amend 1986 PA 281, entitled
"The local development financing act,"
by amending section 2 (MCL 125.2152), as amended by 2007 PA 200.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Advance" means a transfer of funds made by a municipality
3 to an authority or to another person on behalf of the authority in
4 anticipation of repayment by the authority. Evidence of the intent
5 to repay an advance may include, but is not limited to, an executed
6 agreement to repay, provisions contained in a tax increment
7 financing plan approved prior to the advance, or a resolution of
8 the authority or the municipality.

9 (b) "AEROTROPOLIS DEVELOPMENT AREA" MEANS A PORTION OF AN
10 AUTHORITY DISTRICT DESIGNATED BY AN AEROTROPOLIS DEVELOPMENT

1 CORPORATION UNDER SECTION 12C TO WHICH A DEVELOPMENT PLAN IS
2 APPLICABLE.

3 (C) "AEROTROPOLIS DEVELOPMENT CORPORATION" MEANS THAT TERM AS
4 DEFINED IN SECTION 3 OF THE MICHIGAN RENAISSANCE ZONE ACT, 1996 PA
5 376, MCL 125.2683.

6 (D) ~~(b)~~—"Assessed value" means 1 of the following:

7 (i) For valuations made before January 1, 1995, the state
8 equalized valuation as determined under the general property tax
9 act, 1893 PA 206, MCL 211.1 to ~~211.157~~—211.155.

10 (ii) For valuations made after December 31, 1994, the taxable
11 value as determined under section 27a of the general property tax
12 act, 1893 PA 206, MCL 211.27a.

13 (E) ~~(e)~~—"Authority" means a local development finance
14 authority created pursuant to this act.

15 (F) ~~(d)~~—"Authority district" means an area or areas within
16 which an authority exercises its powers.

17 (G) ~~(e)~~—"Board" means the governing body of an authority.

18 (H) ~~(f)~~—"Business development area" means an area designated
19 as a certified industrial park under this act prior to the
20 effective date of the amendatory act that added this subdivision,
21 or an area designated in the tax increment financing plan that
22 meets all of the following requirements:

23 (i) The area is zoned to allow its use for eligible property.

24 (ii) The area has a site plan or plat approved by the city,
25 village, or township in which the area is located.

26 (I) ~~(g)~~—"Business incubator" means real and personal property
27 that meets all of the following requirements:

1 (i) Is located in a certified technology park.

2 (ii) Is subject to an agreement under section 12a.

3 (iii) Is developed for the primary purpose of attracting 1 or
4 more owners or tenants who will engage in activities that would
5 each separately qualify the property as eligible property under
6 subdivision ~~(p)-(iii)~~ **(R) (iii)** .

7 **(J)** ~~(h)~~ "Captured assessed value" means the amount in any 1
8 year by which the current assessed value of the eligible property
9 identified in the tax increment financing plan or, for a certified
10 technology park **OR AN AEROTROPOLIS DEVELOPMENT AREA**, the real and
11 personal property included in the tax increment financing plan,
12 including the current assessed value of property for which specific
13 local taxes are paid in lieu of property taxes as determined
14 pursuant to subdivision ~~(ee)~~ **(EE)** , exceeds the initial assessed
15 value. The state tax commission shall prescribe the method for
16 calculating captured assessed value. **PROPERTY IN A RENAISSANCE ZONE**
17 **AS DEFINED UNDER SECTION 3 OF THE MICHIGAN RENAISSANCE ZONE ACT,**
18 **1996 PA 376, MCL 125.2683, SHALL BE EXCLUDED FROM THE CALCULATION**
19 **OF CAPTURED ASSESSED VALUE TO THE EXTENT THAT THE PROPERTY IS**
20 **EXEMPT FROM AD VALOREM PROPERTY TAXES OR SPECIFIC LOCAL TAXES.**

21 **(K)** ~~(i)~~ "Certified business park" means a business development
22 area that has been designated by the Michigan economic development
23 corporation as meeting criteria established by the Michigan
24 economic development corporation. The criteria shall establish
25 standards for business development areas including, but not limited
26 to, use, types of building materials, landscaping, setbacks,
27 parking, storage areas, and management.

1 (I) ~~(j)~~—"Certified technology park" means that portion of the
2 authority district designated by a written agreement entered into
3 pursuant to section 12a between the authority, the municipality,
4 and the Michigan economic development corporation.

5 (M) ~~(k)~~—"Chief executive officer" means the mayor or city
6 manager of a city, the president of a village, or, for other local
7 units of government or school districts, the person charged by law
8 with the supervision of the functions of the local unit of
9 government or school district.

10 (N) ~~(l)~~—"Development plan" means that information and those
11 requirements for a development set forth in section 15.

12 (O) ~~(m)~~—"Development program" means the implementation of a
13 development plan.

14 (P) ~~(n)~~—"Eligible advance" means an advance made before August
15 19, 1993.

16 (Q) ~~(o)~~—"Eligible obligation" means an obligation issued or
17 incurred by an authority or by a municipality on behalf of an
18 authority before August 19, 1993 and its subsequent refunding by a
19 qualified refunding obligation. Eligible obligation includes an
20 authority's written agreement entered into before August 19, 1993
21 to pay an obligation issued after August 18, 1993 and before
22 December 31, 1996 by another entity on behalf of the authority.

23 (R) ~~(p)~~—"Eligible property" means land improvements,
24 buildings, structures, and other real property, and machinery,
25 equipment, furniture, and fixtures, or any part or accessory
26 thereof whether completed or in the process of construction
27 comprising an integrated whole, located within an authority

1 district, of which the primary purpose and use is or will be 1 of
2 the following:

3 (i) The manufacture of goods or materials or the processing of
4 goods or materials by physical or chemical change.

5 (ii) Agricultural processing.

6 (iii) A high technology activity.

7 (iv) The production of energy by the processing of goods or
8 materials by physical or chemical change by a small power
9 production facility as defined by the federal energy regulatory
10 commission pursuant to the public utility regulatory policies act
11 of 1978, Public Law 95-617, which facility is fueled primarily by
12 biomass or wood waste. This act does not affect a person's rights
13 or liabilities under law with respect to groundwater contamination
14 described in this subparagraph. This subparagraph applies only if
15 all of the following requirements are met:

16 (A) Tax increment revenues captured from the eligible property
17 will be used to finance, or will be pledged for debt service on tax
18 increment bonds used to finance, a public facility in or near the
19 authority district designed to reduce, eliminate, or prevent the
20 spread of identified soil and groundwater contamination, pursuant
21 to law.

22 (B) The board of the authority exercising powers within the
23 authority district where the eligible property is located adopted
24 an initial tax increment financing plan between January 1, 1991 and
25 May 1, 1991.

26 (C) The municipality that created the authority establishes a
27 special assessment district whereby not less than 50% of the

1 operating expenses of the public facility described in this
2 subparagraph will be paid for by special assessments. Not less than
3 50% of the amount specially assessed against all parcels in the
4 special assessment district shall be assessed against parcels owned
5 by parties potentially responsible for the identified groundwater
6 contamination pursuant to law.

7 (v) A business incubator.

8 (vi) **A QUALIFIED AEROTROPOLIS BUSINESS, AS THAT TERM IS DEFINED**
9 **IN SECTION 2 OF 1974 PA 198, MCL 207.552, AND OTHER BUSINESSES**
10 **WITHIN AN AEROTROPOLIS DEVELOPMENT AREA, BUT ONLY TO THE EXTENT**
11 **DESIGNATED AS ELIGIBLE PROPERTY WITHIN A DEVELOPMENT PLAN APPROVED**
12 **BY AN AEROTROPOLIS DEVELOPMENT CORPORATION.**

13 (S) ~~(q)~~ "Fiscal year" means the fiscal year of the authority.

14 (T) ~~(r)~~ "Governing body" means, **EXCEPT AS OTHERWISE PROVIDED**
15 **IN THIS SUBDIVISION,** the elected body having legislative powers of
16 a municipality creating an authority under this act. **FOR AN**
17 **AEROTROPOLIS DEVELOPMENT CORPORATION, GOVERNING BODY MEANS THE**
18 **BOARD OR EXECUTIVE BOARD OF THE AEROTROPOLIS DEVELOPMENT**
19 **CORPORATION, AS PROVIDED IN THE INTERGOVERNMENTAL AGREEMENT OR**
20 **ARTICLES OF INCORPORATION CREATING THE AEROTROPOLIS DEVELOPMENT**
21 **CORPORATION.**

22 (U) ~~(s)~~ "High technology activity" means that term as defined
23 in section 3 of the Michigan economic growth authority act, 1995 PA
24 24, MCL 207.803.

25 (V) ~~(t)~~ "Initial assessed value" means the assessed value of
26 the eligible property identified in the tax increment financing
27 plan or, for a certified technology park **OR AN AEROTROPOLIS**

1 **DEVELOPMENT AREA**, the assessed value of any real and personal
2 property included in the tax increment financing plan, at the time
3 the resolution establishing the tax increment financing plan is
4 approved as shown by the most recent assessment roll for which
5 equalization has been completed at the time the resolution is
6 adopted or, for property that becomes eligible property in other
7 than a certified technology park after the date the plan is
8 approved, at the time the property becomes eligible property.
9 Property exempt from taxation at the time of the determination of
10 the initial assessed value shall be included as zero. Property for
11 which a specific local tax is paid in lieu of property tax shall
12 not be considered exempt from taxation. The initial assessed value
13 of property for which a specific local tax was paid in lieu of
14 property tax shall be determined as provided in subdivision ~~(ee)~~
15 **(EE)**.

16 **(W)** ~~(u)~~—"Michigan economic development corporation" means the
17 public body corporate created under section 28 of article VII of
18 the state constitution of 1963 and the urban cooperation act of
19 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by a contractual
20 interlocal agreement effective April 5, 1999 between local
21 participating economic development corporations formed under the
22 economic development corporations act, 1974 PA 338, MCL 125.1601 to
23 125.1636, and the Michigan strategic fund. If the Michigan economic
24 development corporation is unable for any reason to perform its
25 duties under this act, those duties may be exercised by the
26 Michigan strategic fund.

27 **(X)** ~~(v)~~—"Michigan strategic fund" means the Michigan strategic

1 fund as described in the Michigan strategic fund act, 1984 PA 270,
2 MCL 125.2001 to 125.2094.

3 (Y) ~~(w)~~ "Municipality" means a city, village, or urban
4 township.

5 (Z) ~~(x)~~ "Obligation" means a written promise to pay, whether
6 evidenced by a contract, agreement, lease, sublease, bond, or note,
7 or a requirement to pay imposed by law. An obligation does not
8 include a payment required solely because of default upon an
9 obligation, employee salaries, or consideration paid for the use of
10 municipal offices. An obligation does not include those bonds that
11 have been economically defeased by refunding bonds issued under
12 this act. Obligation includes, but is not limited to, the
13 following:

14 (i) A requirement to pay proceeds derived from ad valorem
15 property taxes or taxes levied in lieu of ad valorem property
16 taxes.

17 (ii) A management contract or a contract for professional
18 services.

19 (iii) A payment required on a contract, agreement, bond, or note
20 if the requirement to make or assume the payment arose before
21 August 19, 1993.

22 (iv) A requirement to pay or reimburse a person for the cost of
23 insurance for, or to maintain, property subject to a lease, land
24 contract, purchase agreement, or other agreement.

25 (v) A letter of credit, paying agent, transfer agent, bond
26 registrar, or trustee fee associated with a contract, agreement,
27 bond, or note.

1 **(AA)** ~~(y)~~—"On behalf of an authority", in relation to an
2 eligible advance made by a municipality or an eligible obligation
3 or other protected obligation issued or incurred by a municipality,
4 means in anticipation that an authority would transfer tax
5 increment revenues or reimburse the municipality from tax increment
6 revenues in an amount sufficient to fully make payment required by
7 the eligible advance made by a municipality, or eligible obligation
8 or other protected obligation issued or incurred by the
9 municipality, if the anticipation of the transfer or receipt of tax
10 increment revenues from the authority is pursuant to or evidenced
11 by 1 or more of the following:

12 (i) A reimbursement agreement between the municipality and an
13 authority it established.

14 (ii) A requirement imposed by law that the authority transfer
15 tax increment revenues to the municipality.

16 (iii) A resolution of the authority agreeing to make payments to
17 the incorporating unit.

18 (iv) Provisions in a tax increment financing plan describing
19 the project for which the obligation was incurred.

20 **(BB)** ~~(z)~~—"Other protected obligation" means:

21 (i) A qualified refunding obligation issued to refund an
22 obligation described in subparagraph (ii) or (iii), an obligation that
23 is not a qualified refunding obligation that is issued to refund an
24 eligible obligation, or a qualified refunding obligation issued to
25 refund an obligation described in this subparagraph.

26 (ii) An obligation issued or incurred by an authority or by a
27 municipality on behalf of an authority after August 19, 1993, but

1 before December 31, 1994, to finance a project described in a tax
2 increment finance plan approved by the municipality in accordance
3 with this act before August 19, 1993, for which a contract for
4 final design is entered into by the municipality or authority
5 before March 1, 1994.

6 (iii) An obligation incurred by an authority or municipality
7 after August 19, 1993, to reimburse a party to a development
8 agreement entered into by a municipality or authority before August
9 19, 1993, for a project described in a tax increment financing plan
10 approved in accordance with this act before August 19, 1993, and
11 undertaken and installed by that party in accordance with the
12 development agreement.

13 (iv) An ongoing management or professional services contract
14 with the governing body of a county that was entered into before
15 March 1, 1994 and that was preceded by a series of limited term
16 management or professional services contracts with the governing
17 body of the county, the last of which was entered into before
18 August 19, 1993.

19 (CC) ~~(aa)~~—"Public facility" means 1 or more of the following:

20 (i) A street, road, bridge, storm water or sanitary sewer,
21 sewage treatment facility, facility designed to reduce, eliminate,
22 or prevent the spread of identified soil or groundwater
23 contamination, drainage system, retention basin, pretreatment
24 facility, waterway, waterline, water storage facility, rail line,
25 electric, gas, telephone or other communications, or any other type
26 of utility line or pipeline, or other similar or related structure
27 or improvement, together with necessary easements for the structure

1 or improvement. Except for rail lines, utility lines, or pipelines,
2 the structures or improvements described in this subparagraph shall
3 be either owned or used by a public agency, functionally connected
4 to similar or supporting facilities owned or used by a public
5 agency, or designed and dedicated to use by, for the benefit of, or
6 for the protection of the health, welfare, or safety of the public
7 generally, whether or not used by a single business entity. Any
8 road, street, or bridge shall be continuously open to public
9 access. A public facility shall be located on public property or in
10 a public, utility, or transportation easement or right-of-way.

11 (ii) The acquisition and disposal of land that is proposed or
12 intended to be used in the development of eligible property or an
13 interest in that land, demolition of structures, site preparation,
14 and relocation costs.

15 (iii) All administrative and real and personal property
16 acquisition and disposal costs related to a public facility
17 described in subparagraphs (i) and (iv), including, but not limited
18 to, architect's, engineer's, legal, and accounting fees as
19 permitted by the district's development plan.

20 (iv) An improvement to a facility used by the public or a
21 public facility as those terms are defined in section 1 of 1966 PA
22 1, MCL 125.1351, which improvement is made to comply with the
23 barrier free design requirements of the state construction code
24 promulgated under the Stille-DeRossett-Hale single state
25 construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.

26 (v) All of the following costs approved by the Michigan
27 economic development corporation:

1 (A) Operational costs and the costs related to the
2 acquisition, improvement, preparation, demolition, disposal,
3 construction, reconstruction, remediation, rehabilitation,
4 restoration, preservation, maintenance, repair, furnishing, and
5 equipping of land and other assets that are or may become eligible
6 for depreciation under the internal revenue code of 1986 for a
7 business incubator located in a certified technology park.

8 (B) Costs related to the acquisition, improvement,
9 preparation, demolition, disposal, construction, reconstruction,
10 remediation, rehabilitation, restoration, preservation,
11 maintenance, repair, furnishing, and equipping of land and other
12 assets that, if privately owned, would be eligible for depreciation
13 under the internal revenue code of 1986 for laboratory facilities,
14 research and development facilities, conference facilities,
15 teleconference facilities, testing, training facilities, and
16 quality control facilities that are or that support eligible
17 property under subdivision ~~(p) (iii)~~ **(R) (iii)**, that are owned by a
18 public entity, and that are located within a certified technology
19 park.

20 (vi) Operating and planning costs included in a plan pursuant
21 to section 12(1)(f), including costs of marketing property within
22 the district and attracting development of eligible property within
23 the district.

24 **(vii) FOR AN AUTHORITY ESTABLISHED UNDER SECTION 3(3), AN**
25 **ELIGIBLE ACTIVITY AS THAT TERM IS DEFINED IN SECTION 2 OF THE**
26 **BROWNFIELD REDEVELOPMENT FINANCING ACT, 1996 PA 381, MCL 125.2652.**

27 **(DD) ~~(bb)~~**—"Qualified refunding obligation" means an obligation

1 issued or incurred by an authority or by a municipality on behalf
2 of an authority to refund an obligation if the refunding obligation
3 meets both of the following:

4 (i) The net present value of the principal and interest to be
5 paid on the refunding obligation, including the cost of issuance,
6 will be less than the net present value of the principal and
7 interest to be paid on the obligation being refunded, as calculated
8 using a method approved by the department of treasury.

9 (ii) The net present value of the sum of the tax increment
10 revenues described in subdivision ~~(ee)(ii)~~ **(GG)(ii)** and the
11 distributions under section 11a to repay the refunding obligation
12 will not be greater than the net present value of the sum of the
13 tax increment revenues described in subdivision ~~(ee)(ii)~~ **(GG)(ii)** and
14 the distributions under section 11a to repay the obligation being
15 refunded, as calculated using a method approved by the department
16 of treasury.

17 **(EE)** ~~(ee)~~ "Specific local taxes" means a tax levied under 1974
18 PA 198, MCL 207.551 to 207.572, the obsolete property
19 rehabilitation act, 2000 PA 146, MCL 125.2781 to 125.2797, the
20 commercial redevelopment act, 1978 PA 255, MCL 207.651 to 207.668,
21 the enterprise zone act, 1985 PA 224, MCL 125.2101 to 125.2123,
22 1953 PA 189, MCL 211.181 to 211.182, and the technology park
23 development act, 1984 PA 385, MCL 207.701 to 207.718. The initial
24 assessed value or current assessed value of property subject to a
25 specific local tax is the quotient of the specific local tax paid
26 divided by the ad valorem millage rate. However, after 1993, the
27 state tax commission shall prescribe the method for calculating the

1 initial assessed value and current assessed value of property for
2 which a specific local tax was paid in lieu of a property tax.

3 **(FF)** ~~(dd)~~—"State fiscal year" means the annual period
4 commencing October 1 of each year.

5 **(GG)** ~~(ee)~~—"Tax increment revenues" means the amount of ad
6 valorem property taxes and specific local taxes attributable to the
7 application of the levy of all taxing jurisdictions upon the
8 captured assessed value of eligible property within the district
9 or, for purposes of a certified technology park **OR AN AEROTROPOLIS**
10 **DEVELOPMENT AREA**, real or personal property that is located within
11 the certified technology park **OR AN AEROTROPOLIS DEVELOPMENT AREA**
12 and included within the tax increment financing plan, subject to
13 the following requirements:

14 (i) Tax increment revenues include ad valorem property taxes
15 and specific local taxes attributable to the application of the
16 levy of all taxing jurisdictions, other than the state pursuant to
17 the state education tax act, 1993 PA 331, MCL 211.901 to 211.906,
18 and local or intermediate school districts, upon the captured
19 assessed value of real and personal property in the development
20 area for any purpose authorized by this act.

21 (ii) Tax increment revenues include ad valorem property taxes
22 and specific local taxes attributable to the application of the
23 levy of the state pursuant to the state education tax act, 1993 PA
24 331, MCL 211.901 to 211.906, and local or intermediate school
25 districts upon the captured assessed value of real and personal
26 property in the development area in an amount equal to the amount
27 necessary, without regard to subparagraph (i), for the following

1 purposes:

2 (A) To repay eligible advances, eligible obligations, and
3 other protected obligations.

4 (B) To fund or to repay an advance or obligation issued by or
5 on behalf of an authority to fund the cost of public facilities
6 related to or for the benefit of eligible property located within a
7 certified technology park to the extent the public facilities have
8 been included in an agreement under section 12a(3), not to exceed
9 50%, as determined by the state treasurer, of the amounts levied by
10 the state pursuant to the state education tax act, 1993 PA 331, MCL
11 211.901 to 211.906, and local and intermediate school districts for
12 a period not to exceed 15 years, as determined by the state
13 treasurer, if the state treasurer determines that the capture under
14 this subparagraph is necessary to reduce unemployment, promote
15 economic growth, and increase capital investment in the
16 municipality.

17 (C) TO FUND THE COST OF PUBLIC FACILITIES RELATED TO OR FOR
18 THE BENEFIT OF ELIGIBLE PROPERTY LOCATED WITHIN AN AEROTROPOLIS
19 DEVELOPMENT AREA TO THE EXTENT THAT THE PUBLIC FACILITIES HAVE BEEN
20 INCLUDED IN A DEVELOPMENT PLAN, NOT TO EXCEED 50%, AS DETERMINED BY
21 THE PRESIDENT OF THE MICHIGAN STRATEGIC FUND, OF THE AMOUNTS LEVIED
22 BY THE STATE PURSUANT TO THE STATE EDUCATION TAX ACT, 1993 PA 331,
23 MCL 211.901 TO 211.906, AND LOCAL AND INTERMEDIATE SCHOOL DISTRICTS
24 FOR A PERIOD NOT TO EXCEED 15 YEARS, AS DETERMINED BY THE PRESIDENT
25 OF THE MICHIGAN STRATEGIC FUND, IF THE PRESIDENT OF THE MICHIGAN
26 STRATEGIC FUND DETERMINES THAT THE CAPTURE UNDER THIS SUB-
27 SUBPARAGRAPH IS NECESSARY TO REDUCE UNEMPLOYMENT, PROMOTE ECONOMIC

1 **GROWTH, AND INCREASE CAPITAL INVESTMENT IN THE AUTHORITY DISTRICT.**

2 (iii) Tax increment revenues do not include any of the
3 following:

4 (A) Ad valorem property taxes or specific local taxes that are
5 excluded from and not made part of the tax increment financing
6 plan.

7 (B) Ad valorem property taxes and specific local taxes
8 attributable to ad valorem property taxes excluded by the tax
9 increment financing plan of the authority from the determination of
10 the amount of tax increment revenues to be transmitted to the
11 authority.

12 (C) Ad valorem property taxes exempted from capture under
13 section 4(3) or specific local taxes attributable to such ad
14 valorem property taxes.

15 (D) Ad valorem property taxes specifically levied for the
16 payment of principal and interest of obligations approved by the
17 electors or obligations pledging the unlimited taxing power of the
18 local governmental unit or specific local taxes attributable to
19 such ad valorem property taxes.

20 (E) The amount of ad valorem property taxes or specific taxes
21 captured by a downtown development authority under 1975 PA 197, MCL
22 125.1651 to 125.1681, tax increment financing authority under the
23 tax increment finance authority act, 1980 PA 450, MCL 125.1801 to
24 125.1830, or brownfield redevelopment authority under the
25 brownfield redevelopment financing act, 1996 PA 381, MCL 125.2651
26 to 125.2672, if those taxes were captured by these other
27 authorities on the date that the initial assessed value of a parcel

1 of property was established under this act.

2 (iv) The amount of tax increment revenues authorized to be
3 included under subparagraph (ii), and required to be transmitted to
4 the authority under section 13(1), from ad valorem property taxes
5 and specific local taxes attributable to the application of the
6 levy of the state education tax act, 1993 PA 331, MCL 211.901 to
7 211.906, or a local school district or an intermediate school
8 district upon the captured assessed value of real and personal
9 property in a development area shall be determined separately for
10 the levy by the state, each school district, and each intermediate
11 school district as the product of sub-subparagraphs (A) and (B):

12 (A) The percentage that the total ad valorem taxes and
13 specific local taxes available for distribution by law to the
14 state, local school district, or intermediate school district,
15 respectively, bears to the aggregate amount of ad valorem millage
16 taxes and specific taxes available for distribution by law to the
17 state, each local school district, and each intermediate school
18 district.

19 (B) The maximum amount of ad valorem property taxes and
20 specific local taxes considered tax increment revenues under
21 subparagraph (ii).

22 **(HH)** ~~(ff)~~—"Urban township" means a township that meets 1 or
23 more of the following:

24 (i) Meets all of the following requirements:

25 (A) Has a population of 20,000 or more, or has a population of
26 10,000 or more but is located in a county with a population of
27 400,000 or more.

1 (B) Adopted a master zoning plan before February 1, 1987.

2 (C) Provides sewer, water, and other public services to all or
3 a part of the township.

4 (ii) Meets all of the following requirements:

5 (A) Has a population of less than 20,000.

6 (B) Is located in a county with a population of 250,000 or
7 more but less than 400,000, and that county is located in a
8 metropolitan statistical area.

9 (C) Has within its boundaries a parcel of property under
10 common ownership that is 800 acres or larger and is capable of
11 being served by a railroad, and located within 3 miles of a limited
12 access highway.

13 (D) Establishes an authority before December 31, 1998.

14 (iii) Meets all of the following requirements:

15 (A) Has a population of less than 20,000.

16 (B) Has a state equalized valuation for all real and personal
17 property located in the township of more than \$200,000,000.00.

18 (C) Adopted a master zoning plan before February 1, 1987.

19 (D) Is a charter township under the charter township act, 1947
20 PA 359, MCL 42.1 to 42.34.

21 (E) Has within its boundaries a combination of parcels under
22 common ownership that is 800 acres or larger, is immediately
23 adjacent to a limited access highway, is capable of being served by
24 a railroad, and is immediately adjacent to an existing sewer line.

25 (F) Establishes an authority before March 1, 1999.

26 (iv) Meets all of the following requirements:

27 (A) Has a population of 13,000 or more.

1 (B) Is located in a county with a population of 150,000 or
2 more.

3 (C) Adopted a master zoning plan before February 1, 1987.

4 (v) Meets all of the following requirements:

5 (A) Is located in a county with a population of 1,000,000 or
6 more.

7 (B) Has a written agreement with an adjoining township to
8 develop 1 or more public facilities on contiguous property located
9 in both townships.

10 (C) Has a master plan in effect.

11 (vi) Meets all of the following requirements:

12 (A) Has a population of less than 10,000.

13 (B) Has a state equalized valuation for all real and personal
14 property located in the township of more than \$280,000,000.00.

15 (C) Adopted a master zoning plan before February 1, 1987.

16 (D) Has within its boundaries a combination of parcels under
17 common ownership that is 199 acres or larger, is located within 1
18 mile of a limited access highway, and is located within 1 mile of
19 an existing sewer line.

20 (E) Has rail service.

21 (F) Establishes an authority before May 7, 2009.

22 **(vii) IS A CONSTITUENT MEMBER OF AN AEROTROPOLIS DEVELOPMENT**
23 **CORPORATION.**

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

27 (a) Senate Bill No. _____ or House Bill No. 6502 (request no.

1 07377'08 **).

2 (b) Senate Bill No.____ or House Bill No. 6503(request no.
3 07781'08 **).

4 (c) Senate Bill No.____ or House Bill No. 6504(request no.
5 07806'08 **).

6 (d) Senate Bill No.____ or House Bill No. 6505(request no.
7 07807'08 **).

8 (e) Senate Bill No.____ or House Bill No. 6506(request no.
9 08280'08 *).

10 (f) Senate Bill No.____ or House Bill No. 6507(request no.
11 08281'08 *).

12 (g) Senate Bill No.____ or House Bill No. 6509(request no.
13 08283'08 *).

14 (h) Senate Bill No.____ or House Bill No. 6510(request no.
15 08284'08 *).

16 (i) Senate Bill No.____ or House Bill No. 6511(request no.
17 08285'08 *).