

SENATE BILL No. 1540

September 24, 2008, Introduced by Senators CASSIS, GILBERT, McMANUS and GARCIA and referred to the Committee on Finance.

A bill to amend 2007 PA 36, entitled
"Michigan business tax act,"
by amending section 513 (MCL 208.1513).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 513. (1) The tax imposed by this act shall be
2 administered by the department of treasury pursuant to 1941 PA 122,
3 MCL 205.1 to 205.31, and this act. If a conflict exists between
4 1941 PA 122, MCL 205.1 to 205.31, and this act, the provisions of
5 this act apply.

6 (2) The department shall promulgate rules to implement this
7 act pursuant to the administrative procedures act of 1969, 1969 PA
8 306, MCL 24.201 to 24.328.

9 (3) The department shall prescribe forms for use by taxpayers

1 and may promulgate rules in conformity with this act for the
2 maintenance by taxpayers of records, books, and accounts, and for
3 the computation of the tax, the manner and time of changing or
4 electing accounting methods and of exercising the various options
5 contained in this act, the making of returns, and the
6 ascertainment, assessment, and collection of the tax imposed under
7 this act.

8 (4) The tax imposed by this act is in addition to all other
9 taxes for which the taxpayer may be liable.

10 (5) The department shall prepare and publish statistics from
11 the records kept to administer the tax imposed by this act that
12 detail the distribution of tax receipts by type of business, legal
13 form of organization, sources of tax base, timing of tax receipts,
14 and types of deductions. The statistics shall not result in the
15 disclosure of information regarding any specific taxpayer.

16 (6) **THE DEPARTMENT SHALL PREPARE A CLEAR AND CONCISE LISTING**
17 **OF EACH CREDIT ALLOWED UNDER THIS ACT AND A DETAILED EXPLANATION OF**
18 **THAT CREDIT. THE DEPARTMENT SHALL MAKE A COPY OF THE LISTING**
19 **AVAILABLE TO THE PUBLIC UPON REQUEST AND SHALL POST THE LISTING ON**
20 **THE DEPARTMENT'S OFFICIAL WEBSITE.**

21 (7) **NOT LATER THAN MARCH 1 OF EACH YEAR AFTER 2008, THE**
22 **DEPARTMENT SHALL SUBMIT TO THE GOVERNOR AND BOTH HOUSES OF THE**
23 **LEGISLATURE AN ANNUAL REPORT CONCERNING THE OPERATION AND**
24 **EFFECTIVENESS OF EACH CREDIT UNDER THIS ACT AND SHALL POST THE**
25 **REPORT ON THE DEPARTMENT'S OFFICIAL WEBSITE. THE REQUIREMENTS OF**
26 **SECTION 28(1)(F) OF 1941 PA 122, MCL 205.28, DO NOT APPLY TO**
27 **DISCLOSURE OF TAX INFORMATION REQUIRED BY THIS SUBSECTION. THE**

1 REPORT SHALL INCLUDE, BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING:

2 (A) A BRIEF ASSESSMENT OF THE OVERALL EFFECTIVENESS OF EACH
3 CREDIT UNDER THIS ACT DURING THE IMMEDIATELY PRECEDING CALENDAR
4 YEAR.

5 (B) THE TOTAL NUMBER OF TAXPAYERS THAT CLAIMED EACH CREDIT
6 UNDER THIS ACT DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR
7 INCLUDING THE NAME AND LOCATION OF THOSE TAXPAYERS.

8 (C) THE TOTAL AMOUNT OF CREDITS AWARDED UNDER EACH CREDIT
9 UNDER THIS ACT DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR.