

Act No. 79
Public Acts of 2008
Approved by the Governor
April 7, 2008
Filed with the Secretary of State
April 8, 2008
EFFECTIVE DATE: April 8, 2008

**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2008**

Introduced by Reps. Johnson, Meisner, Huizenga, Miller, Leland, Hammon, Kathleen Law, Byrnes, Griffin, Condino, Robert Jones, Polidori, Gonzales, Corriveau, Espinoza, Brown, Simpson, Donigan, Gillard, Amos, Spade, McDowell, Valentine, Bauer, Meadows, Hammel, Dean, Casperson, Rick Jones, Bieda, Byrum, Ebli, Proos, Angerer, Accavitti, Palsrok, Nofs, Clemente, Hansen, Lemmons, Jackson, Lindberg, Clack, Vagnozzi, Sak, Knollenberg, Constan and Young

ENROLLED HOUSE BILL No. 5844

AN ACT to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," (MCL 206.1 to 206.532) by adding section 367.

The People of the State of Michigan enact:

Sec. 367. (1) An eligible production company may claim a credit for a state certified qualified production against the tax deducted and withheld under this chapter equal to the amount of the credit the eligible production company is eligible to claim for the state certified qualified production under section 455 of the Michigan business tax act, 2007 PA 36, MCL 208.1455. An eligible production company shall not claim a credit under this section for any of the following:

(a) A credit or portion of a credit the eligible production company claims under section 455 of the Michigan business tax act, 2007 PA 36, MCL 208.1455.

(b) A credit or portion of a credit that another taxpayer claims under this section or under section 455 of the Michigan business tax act, 2007 PA 36, MCL 208.1455.

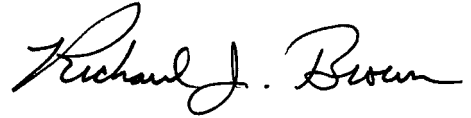
(2) The credit allowed under this section shall not exceed the tax liability of the eligible production company under this act for the tax year. The credit under this section shall be claimed after all other credits under this act.

(3) The amount of the credit under this section shall be reduced by a credit application and redemption fee equal to 0.5% of the credit claimed, which shall be paid by the taxpayer claiming the credit and be deposited by the department in the Michigan film promotion fund.

(4) To the extent not withheld by a professional services corporation or professional employer organization, payments to the professional services corporation or professional employer organization for the services of a performing artist or a crew member that qualify for the credit under this section or section 455 of the Michigan business tax act, 2007 PA 36, MCL 208.1455, are subject to withholding by the eligible production company as provided under section 351.

(5) As used in this section, “eligible production company”, “Michigan film promotion fund”, and “state certified qualified production” mean those terms as defined under section 455 of the Michigan business tax act, 2007 PA 36, MCL 208.1455.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor