

HOUSE BILL No. 4171

February 5, 2009, Introduced by Reps. Robert Jones, Melton, Bettie Scott, Donigan, Espinoza, Haugh, Meadows and Stanley and referred to the Committee on Intergovernmental and Regional Affairs.

A bill to amend 1966 PA 134, entitled

"An act to impose a tax upon written instruments which transfer any interest in real property; to provide for the administration of this act; and to provide penalties for violations of this act,"

by amending sections 4 and 9 (MCL 207.504 and 207.509), section 4 as amended by 1980 PA 413.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The tax shall be at the rate of 55 cents in a
2 county with a population of less than 2,000,000 and not more than
3 75 cents as authorized by the county board of commissioners in a
4 county with a population of 2,000,000 or more for each \$500.00 or
5 fraction thereof of the total value.

6 (2) IF A COUNTY ESTABLISHES A HOUSING TRUST FUND FOR THE
7 HOMELESS UNDER SECTION 58E OF THE STATE HOUSING DEVELOPMENT
8 AUTHORITY ACT OF 1966, 1966 PA 346, MCL 125.1458E, BY RESOLUTION,

1 THEN THE TAX RATE DESCRIBED IN SUBSECTION (1) SHALL BE INCREASED BY
2 25 CENTS FOR EACH \$500.00 OR FRACTION THEREOF OF THE TOTAL VALUE
3 FOR AS LONG AS THE HOUSING TRUST FUND FOR THE HOMELESS IS IN
4 EXISTENCE.

5 (3) A written instrument subject to the tax imposed by this
6 act shall state on its face the total value of the real property or
7 there shall be attached to the instrument an affidavit declaring
8 the total value of the real property. The form of the affidavit
9 shall be prescribed by the state tax commission. In the case of the
10 sale or transfer of a combination of real and personal property the
11 tax shall be imposed only upon the transfer of the real property,
12 if the values of the real and personal property are stated
13 separately on the face of the instrument or if an affidavit is
14 attached to the instrument setting forth the respective values of
15 the real and personal property.

16 Sec. 9. (1) ~~All~~ EXCEPT AS PROVIDED IN SUBSECTION (2), ALL
17 revenue received under this act shall be deposited in the treasury
18 of the county where the tax is collected to the credit of the
19 general fund.

20 (2) THE ADDITIONAL TAXES LEVIED AND COLLECTED UNDER SECTION
21 4(2) SHALL BE USED ONLY TO FUND THE HOUSING TRUST FUND FOR THE
22 HOMELESS ESTABLISHED UNDER SECTION 58E OF THE STATE HOUSING
23 DEVELOPMENT AUTHORITY ACT OF 1966, 1966 PA 346, MCL 125.1458E.