

# HOUSE BILL No. 5642

December 2, 2009, Introduced by Rep. Green and referred to the Committee on New Economy and Quality of Life.

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 6 (MCL 207.806), as amended by 2008 PA 548.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 6. The authority shall have powers necessary or  
2 convenient to carry out and effectuate the purpose of this act,  
3 including, but not limited to, the following:

4           (a) To authorize eligible businesses to receive tax credits to  
5 foster job creation in this state.

6           (b) To determine which businesses qualify for tax credits  
7 under this act.

8           (c) To determine the amount and duration of tax credits  
9 authorized under this act.

10           (d) To issue certificates and enter into written agreements

1 specifying the conditions under which tax credits are authorized  
2 and the circumstances under which those tax credits may be reduced  
3 or terminated.

4 (e) To charge and collect reasonable administrative fees.

5 (f) To delegate to the chairperson of the authority, staff, or  
6 others the functions and powers it considers necessary and  
7 appropriate to administer the programs under this act.

8 (g) To assist an eligible business to obtain the benefits of a  
9 tax credit, incentive, or inducement program provided by this act  
10 or by law.

11 (h) To determine the eligibility of and issue certificates to  
12 certain qualified taxpayers for credits allowed under ~~former~~  
13 section 38g(3) of **FORMER** 1975 PA 228 and section 431 of the  
14 Michigan business tax act, 2007 PA 36, MCL 208.1431, and to develop  
15 the application process and necessary forms to claim the credit  
16 under ~~former~~ section 38g(3) of **FORMER** 1975 PA 228 and section 431  
17 of the Michigan business tax act, 2007 PA 36, MCL 208.1431. The  
18 Michigan economic growth authority annually shall prepare and  
19 submit to the house of representatives and senate committees  
20 responsible for tax policy and economic development issues a report  
21 on the credits under ~~former~~ section 38g(3) of **FORMER** 1975 PA 228  
22 and section 431 of the Michigan business tax act, 2007 PA 36, MCL  
23 208.1431. The report shall include, but is not limited to, all of  
24 the following:

25 (i) A listing of the projects under ~~former~~ section 38g(3) of  
26 **FORMER** 1975 PA 228 and section 431 of the Michigan business tax  
27 act, 2007 PA 36, MCL 208.1431, that were approved in the previous

1 calendar year.

2 (ii) The total amount of eligible investment approved under  
3 ~~former~~ section 38g(3) of **FORMER** 1975 PA 228 and section 431 of the  
4 Michigan business tax act, 2007 PA 36, MCL 208.1431, in the  
5 previous calendar year.

6 (i) To approve the capture of school operating taxes and work  
7 plans as provided in sections 13 and 15 of the brownfield  
8 redevelopment financing act, 1996 PA 381, MCL 125.2663 and  
9 125.2665.

10 (j) To determine the eligibility of and issue certificates to  
11 certain qualified taxpayers for credits allowed under section 407  
12 of the Michigan business tax act, 2007 PA 36, MCL 208.1407.

13 (k) To determine the eligibility of and issue certificates to  
14 certain taxpayers for credits allowed under sections 431a, ~~and~~  
15 431b, **AND 431C** of the Michigan business tax act, 2007 PA 36, MCL  
16 208.1431a, ~~and~~ 208.1431b, **AND 208.1431C**.

17 (l) To determine the eligibility of and issue certificates to  
18 certain taxpayers for credits allowed under sections 432 to 432d of  
19 the Michigan business tax act, 2007 PA 36, MCL 208.1432 to  
20 208.1432d.

21 (m) To determine the eligibility of and issue certificates to  
22 certain taxpayers for credits allowed under section 434 of the  
23 Michigan business tax act, 2007 PA 36, MCL 208.1434.

24 **(N) TO DETERMINE ELIGIBILITY OF AND ISSUE CERTIFICATES TO**  
25 **CERTAIN TAXPAYERS FOR CREDITS ALLOWED UNDER SECTION 465 OF THE**  
26 **MICHIGAN BUSINESS TAX ACT, 2007 PA 36, MCL 208.1465.**