

HOUSE BILL No. 6117

May 4, 2010, Introduced by Reps. Haveman, Amash, McMillin, Agema, DeShazor, Paul Scott, Green, Meekhof, Meltzer, Walsh, Daley, Crawford, Lund, Rogers, Kowall and Booher and referred to the Committee on Tax Policy.

A bill to amend 2007 PA 36, entitled
"Michigan business tax act,"
by amending sections 445, 447, and 449 (MCL 208.1445, 208.1447, and 208.1449), sections 445 and 447 as amended by 2007 PA 145.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 445. (1) ~~A~~FOR THE 2008, 2009, AND 2010 TAX YEARS, A
2 taxpayer that is a new motor vehicle dealer licensed under the
3 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, may claim
4 a credit against the tax imposed by this act equal to 0.25% of the
5 amount paid by the taxpayer to acquire new motor vehicle inventory
6 in the tax year.

7 (2) If the amount of the credit allowed under this section
8 exceeds the tax liability of the taxpayer for the tax year, that

1 excess shall not be refunded and shall not be carried forward as an
2 offset to the tax liability in subsequent tax years.

3 (3) As used in this section, "new motor vehicle inventory"
4 means new motor vehicles or motor vehicle parts.

5 Sec. 447. (1) ~~An~~ **FOR THE 2008, 2009, AND 2010 TAX YEARS, AN**
6 eligible taxpayer may claim a credit against the tax imposed by
7 this act equal to 1.0% of the taxpayer's compensation in this
8 state, not to exceed \$8,500,000.00.

9 (2) If the amount of the credit allowed under this section
10 exceeds the tax liability of the taxpayer for the tax year, that
11 excess shall not be refunded and shall not be carried forward as an
12 offset to the tax liability in subsequent tax years.

13 (3) A taxpayer that claims a credit under this section shall
14 not claim a credit under section 449.

15 (4) As used in this section, "eligible taxpayer" means a
16 taxpayer that meets all of the following conditions:

17 (a) Operates at least 17,000,000 square feet of enclosed
18 retail space and 2,000,000 square feet of enclosed warehouse space
19 in this state.

20 (b) Sells all of the following at retail:

21 (i) Fresh, frozen, or processed food, food products, or
22 consumable necessities.

23 (ii) Prescriptions and over-the-counter medications.

24 (iii) Health and beauty care products.

25 (iv) Cosmetics.

26 (v) Pet products.

27 (vi) Carbonated beverages.

(vii) Beer, wine, or liquor.

(c) Sales of the items listed in subdivision (b) represent more than 35% of the taxpayer's total sales in the tax year.

(d) Maintains its headquarters operation in this state.

Sec. 449. (1) ~~An~~ **FOR THE 2008, 2009, AND 2010 TAX YEARS, AN** eligible taxpayer may claim a credit against the tax imposed by this act equal to 0.125% of the taxpayer's compensation in this state, not to exceed \$300,000.00.

(2) If the amount of the credit allowed under this section exceeds the tax liability of the taxpayer for the tax year, that excess shall not be refunded and shall not be carried forward as an offset to the tax liability in subsequent tax years.

(3) As used in this section, "eligible taxpayer" means a taxpayer that meets all of the following:

(a) Operates at least 2,500,000 square feet of enclosed retail space and 1,400,000 square feet of enclosed warehouse, headquarters, and transportation services in this state.

(b) Sells all of the following at retail:

(i) Fresh, frozen, or processed food, food products, or consumable necessities.

(ii) Prescriptions and over-the-counter medications.

(iii) Health and beauty care products.

(iv) Cosmetics.

(v) Pet products.

(vi) Carbonated beverages.

(vii) Beer, wine, or liquor.

(c) Sales of the items listed in subdivision (b) represent

1 more than 35% of the taxpayer's total sales in the tax year.

2 (d) The taxpayer maintains its headquarters operation in this
3 state.

4 Enacting section 1. This amendatory act does not take effect
5 unless all of the following bills of the 95th Legislature are
6 enacted into law:

7 (a) House Bill No. 5249.

8 (b) Senate Bill No.____ or House Bill No. 6104(request no.
9 04275'09).

10 (c) Senate Bill No.____ or House Bill No. 6103(request no.
11 05669'09).

12 (d) Senate Bill No.____ or House Bill No. 6105(request no.
13 05670'09).

14 (e) Senate Bill No.____ or House Bill No. 6106(request no.
15 05671'09).

16 (f) Senate Bill No.____ or House Bill No. 6107(request no.
17 05672'09).

18 (g) Senate Bill No.____ or House Bill No. 6112(request no.
19 05673'09).

20 (h) Senate Bill No.____ or House Bill No. 6113(request no.
21 05675'09*).

22 (i) Senate Bill No.____ or House Bill No. 6109(request no.
23 05676'09).

24 (j) Senate Bill No.____ or House Bill No. 6110(request no.
25 05677'09).

26 (k) Senate Bill No.____ or House Bill No. 6116(request no.
27 05678'09).

1 (l) Senate Bill No.____ or House Bill No. 6114(request no.
2 05679'09).

3 (m) Senate Bill No.____ or House Bill No. 6108(request no.
4 05681'09).

5 (n) Senate Bill No.____ or House Bill No. 6119(request no.
6 05930'10).

7 (o) Senate Bill No.____ or House Bill No. 6111(request no.
8 05931'10).

9 (p) Senate Bill No.____ or House Bill No. 6115(request no.
10 05932'10).

11 (q) Senate Bill No.____ or House Bill No. 6118(request no.
12 05933'10).