

SENATE BILL No. 1274

April 21, 2010, Introduced by Senator THOMAS and referred to the Committee on Appropriations.

A bill to amend 2008 PA 94, entitled
"Water resource improvement tax increment finance authority act,"
by amending section 3 (MCL 125.1773).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. As used in this act:

2 (a) "Operations" means office maintenance, including salaries
3 and expenses of employees, office supplies, consultation fees,
4 design costs, and other expenses incurred in the daily management
5 of the authority and planning of its activities.

6 (b) "Parcel" means an identifiable unit of land that is
7 treated as separate for valuation or zoning purposes.

8 (c) "Public facility" means a street, and any improvements to
9 a street, including street furniture and beautification, park,
10 parking facility, recreational facility, right-of-way, structure,

1 waterway, bridge, lake, pond, canal, utility line or pipe, or
2 building, including access routes designed and dedicated to use by
3 the public generally, or used by a public agency, that is related
4 to access to inland lakes or a water resource improvement, or means
5 a water resource improvement. Public facility includes an
6 improvement to a facility used by the public or a public facility
7 as those terms are defined in section 1 of 1966 PA 1, MCL 125.1351,
8 if the improvement complies with the barrier free design
9 requirements of the state construction code promulgated under the
10 Stille-DeRossett-Hale single state construction code act, 1972 PA
11 230, MCL 125.1501 to 125.1531.

12 (d) "Specific local tax" means a tax levied under 1974 PA 198,
13 MCL 207.551 to 207.572, the commercial redevelopment act, 1978 PA
14 255, MCL 207.651 to 207.668, the technology park development act,
15 1984 PA 385, MCL 207.701 to 207.718, or 1953 PA 189, MCL 211.181 to
16 211.182. The initial assessed value or current assessed value of
17 property subject to a specific local tax shall be the quotient of
18 the specific local tax paid divided by the ad valorem millage rate.
19 The state tax commission shall prescribe the method for calculating
20 the initial assessed value and current assessed value of property
21 for which a specific local tax was paid in lieu of a property tax.

22 (e) "State fiscal year" means the annual period commencing
23 ~~October~~**JULY** 1 of each year.

24 (f) "Tax increment revenues" means the amount of ad valorem
25 property taxes and specific local taxes attributable to the
26 application of the levy of all taxing jurisdictions upon the
27 captured assessed value of real and personal property in the

1 development area. Tax increment revenues do not include any of the
2 following:

3 (i) Taxes under the state education tax act, 1993 PA 331, MCL
4 211.901 to 211.906.

5 (ii) Taxes levied by local or intermediate school districts.

6 (iii) Ad valorem property taxes attributable either to a portion
7 of the captured assessed value shared with taxing jurisdictions
8 within the jurisdictional area of the authority or to a portion of
9 value of property that may be excluded from captured assessed value
10 or specific local taxes attributable to the ad valorem property
11 taxes.

12 (iv) Ad valorem property taxes excluded by the tax increment
13 financing plan of the authority from the determination of the
14 amount of tax increment revenues to be transmitted to the authority
15 or specific local taxes attributable to the ad valorem property
16 taxes.

17 (v) Ad valorem property taxes exempted from capture under
18 section 15(5) or specific local taxes attributable to the ad
19 valorem property taxes.

20 (vi) Ad valorem property taxes specifically levied for the
21 payment of principal and interest of obligations approved by the
22 electors or obligations pledging the unlimited taxing power of the
23 local governmental unit or specific taxes attributable to those ad
24 valorem property taxes.

25 (g) "Water resource improvement" means enhancement of water
26 quality and water dependent natural resources, including, but not
27 limited to, the following:

1 (i) The elimination of the causes and the proliferation of
2 aquatic nuisance species, as defined in section 3101 of the natural
3 resources and environmental protection act, 1994 PA 451, MCL
4 324.3101. For purposes of this act, water resources improvement
5 does not include chemical treatment of waters for aquatic nuisance
6 control.

7 (ii) Sewer systems that service existing structures that have
8 failing on-site disposal systems.

9 (iii) Storm water systems that service existing infrastructure.

10 (h) "Water resource improvement district" or "district" means
11 1 or both of the following:

12 (i) An inland body of water and land that is up to 1 mile from
13 the shoreline of an inland lake that contains 1 or more public
14 access points.

15 (ii) An inland body of water and parcels of land that are
16 contiguous to the shoreline of an inland lake that does not contain
17 a public access point.

18 Enacting section 1. This amendatory act does not take effect
19 unless Senate Bill No. 1281

20 of the 95th Legislature is enacted into law.