

HOUSE BILL No. 4966

September 13, 2011, Introduced by Rep. Ouimet and referred to the Committee on Tax Policy.

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 2011 PA 38.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 522. (1) The amount of a claim made pursuant to this
2 chapter shall be determined as follows:

3 (a) A claimant who is not a senior citizen is entitled to a
4 credit against the state income tax liability under this part
5 equal to 60% of the amount by which the property taxes on the
6 homestead, or the credit for rental of the homestead for the tax
7 year, exceeds 3.5% of the claimant's total household resources
8 for that tax year.

9 (b) A claimant who is a senior citizen is entitled to a
10 credit against the state income tax liability under this part
11 equal to the following:

1 (i) For a claimant with total household resources of
2 \$21,000.00 or less, an amount ~~equal to 100% of the difference~~
3 ~~between the property taxes on the homestead or the credit for~~
4 ~~rental of the homestead for the tax year and 3.5% of total~~
5 ~~household resources.~~ **AS DETERMINED IN ACCORDANCE WITH SUBDIVISION**
6 **(C)**.

7 (ii) For a claimant with total household resources of more
8 than \$21,000.00 and less than or equal to \$22,000.00, an amount
9 equal to 96% of the difference between the property taxes on the
10 homestead or the credit for rental of the homestead for the tax
11 year and 3.5% of total household resources.

12 (iii) For a claimant with total household resources of more
13 than \$22,000.00 and less than or equal to \$23,000.00, an amount
14 equal to 92% of the difference between the property taxes on the
15 homestead or the credit for rental of the homestead for the tax
16 year and 3.5% of total household resources.

17 (iv) For a claimant with total household resources of more
18 than \$23,000.00 and less than or equal to \$24,000.00, an amount
19 equal to 88% of the difference between the property taxes on the
20 homestead or the credit for rental of the homestead for the tax
21 year and 3.5% of total household resources.

22 (v) For a claimant with total household resources of more
23 than \$24,000.00 and less than or equal to \$25,000.00, an amount
24 equal to 84% of the difference between the property taxes on the
25 homestead or the credit for rental of the homestead for the tax
26 year and 3.5% of total household resources.

27 (vi) For a claimant with total household resources of more

1 than \$25,000.00 and less than or equal to \$26,000.00, an amount
2 equal to 80% of the difference between the property taxes on the
3 homestead or the credit for rental of the homestead for the tax
4 year and 3.5% of total household resources.

5 (vii) For a claimant with total household resources of more
6 than \$26,000.00 and less than or equal to \$27,000.00, an amount
7 equal to 76% of the difference between the property taxes on the
8 homestead or the credit for rental of the homestead for the tax
9 year and 3.5% of total household resources.

10 (viii) For a claimant with total household resources of more
11 than \$27,000.00 and less than or equal to \$28,000.00, an amount
12 equal to 72% of the difference between the property taxes on the
13 homestead or the credit for rental of the homestead for the tax
14 year and 3.5% of total household resources.

15 (ix) For a claimant with total household resources of more
16 than \$28,000.00 and less than or equal to \$29,000.00, an amount
17 equal to 68% of the difference between the property taxes on the
18 homestead or the credit for rental of the homestead for the tax
19 year and 3.5% of total household resources.

20 (x) For a claimant with total household resources of more
21 than \$29,000.00 and less than or equal to \$30,000.00, an amount
22 equal to 64% of the difference between the property taxes on the
23 homestead or the credit for rental of the homestead for the tax
24 year and 3.5% of total household resources.

25 (xi) For a claimant with total household resources of more
26 than \$30,000.00, an amount equal to 60% of the difference between
27 the property taxes on the homestead or the credit for rental of

1 the homestead for the tax year and 3.5% of total household
2 resources.

3 (c) A claimant who is a senior citizen **WITH TOTAL HOUSEHOLD**
4 **RESOURCES OF \$21,000.00 OR LESS** or a paraplegic, hemiplegic, or
5 quadriplegic and for tax years that begin after December 31,
6 1999, a claimant who is totally and permanently disabled or deaf
7 is entitled to a credit against the state income tax liability
8 for the amount by which the property taxes on the homestead, the
9 credit for rental of the homestead, or a service charge in lieu
10 of ad valorem taxes as provided by section 15a of the state
11 housing development authority act of 1966, 1966 PA 346, MCL
12 125.1415a, for the tax year exceeds the percentage of the
13 claimant's total household resources for that tax year computed
14 as follows:

15	Household income TOTAL HOUSEHOLD RESOURCES	Percentage
16	Not over \$3,000.00	.0%
17	Over \$3,000.00 but not over \$4,000.00	1.0%
18	Over \$4,000.00 but not over \$5,000.00	2.0%
19	Over \$5,000.00 but not over \$6,000.00	3.0%
20	Over \$6,000.00	3.5%

21 (d) A claimant who is an eligible serviceperson, eligible
22 veteran, or eligible widow or widower is entitled to a credit
23 against the state income tax liability for a percentage of the
24 property taxes on the homestead for the tax year not in excess of
25 100% determined as follows:

26 (i) Divide the taxable value allowance specified in section

1 506 by the taxable value of the homestead or, if the eligible
2 serviceperson, eligible veteran, or eligible widow or widower
3 leases or rents a homestead, divide 17% of the total annual rent
4 paid for tax years before the 1994 tax year, or 20% of the total
5 annual rent paid for tax years after the 1993 tax year on the
6 property by the property tax rate on the property.

7 (ii) Multiply the property taxes on the homestead by the
8 percentage computed in subparagraph (i).

9 (e) A claimant who is blind is entitled to a credit against
10 the state income tax liability for a percentage of the property
11 taxes on the homestead for the tax year determined as follows:

12 (i) If the taxable value of the homestead is \$3,500.00 or
13 less, 100% of the property taxes.

14 (ii) If the taxable value of the homestead is more than
15 \$3,500.00, the percentage that \$3,500.00 bears to the taxable
16 value of the homestead.

17 (2) A person who is qualified to make a claim under more
18 than 1 classification shall elect the classification under which
19 the claim is made.

20 (3) Only 1 claimant per household for a tax year is entitled
21 to the credit, unless both the husband and wife filing a joint
22 return are blind, then each shall be considered a claimant.

23 (4) As used in this section, "totally and permanently
24 disabled" means disability as defined in section 216 of title II
25 of the social security act, 42 USC 416.

26 (5) A senior citizen who has total household resources for
27 the tax year of \$6,000.00 or less and who for 1973 received a

1 senior citizen homestead exemption under former section 7c of the
2 general property tax act, 1893 PA 206, may compute the credit
3 against the state income tax liability for a percentage of the
4 property taxes on the homestead for the tax year determined as
5 follows:

6 (a) If the taxable value of the homestead is \$2,500.00 or
7 less, 100% of the property taxes.

8 (b) If the taxable value of the homestead is more than
9 \$2,500.00, the percentage that \$2,500.00 bears to the taxable
10 value of the homestead.

11 (6) For a return of less than 12 months, the claim shall be
12 reduced proportionately.

13 (7) The department may prescribe tables that may be used to
14 determine the amount of the claim.

15 (8) The total credit allowed in this section for each year
16 after December 31, 1975 shall not exceed \$1,200.00 per year.

17 (9) The total credit allowable under this part and part 361
18 of the natural resources and environmental protection act, 1994
19 PA 451, MCL 324.36101 to 324.36117, shall not exceed the total
20 property tax due and payable by the claimant in that year. The
21 amount by which the credit exceeds the property tax due and
22 payable shall be deducted from the credit claimed under part 361
23 of the natural resources and environmental protection act, 1994
24 PA 451, MCL 324.36101 to 324.36117.

25 Enacting section 1. This amendatory act takes effect January
26 1, 2012.