

SENATE BILL No. 351

May 3, 2011, Introduced by Senators PROOS, PAPPAGEORGE, HILDENBRAND, MEEKHOF, MARLEAU, HANSEN, JONES and KAHN and referred to the Committee on Transportation.

A bill to amend 1933 PA 167, entitled
"General sales tax act,"
by amending section 25 (MCL 205.75), as amended by 2010 PA 160.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 25. (1) All money received and collected under this act
2 shall be deposited by the department in the state treasury to the
3 credit of the general fund, except as otherwise provided in this
4 section.

5 (2) Fifteen percent of the collections of the tax imposed at a
6 rate of 4% shall be distributed to cities, villages, and townships
7 pursuant to the Glenn Steil state revenue sharing act of 1971, 1971
8 PA 140, MCL 141.901 to 141.921.

9 (3) Sixty percent of the collections of the tax imposed at a
10 rate of 4% shall be deposited in the state school aid fund

1 established in section 11 of article IX of the state constitution
2 of 1963 and distributed as provided by law. In addition, all of the
3 collections of the tax imposed at the additional rate of 2%
4 approved by the electors March 15, 1994 shall be deposited in the
5 state school aid fund.

6 (4) ~~For the fiscal year ending September 30, 1988 and each~~
7 ~~fiscal year ending after September 30, 1988, NOT LESS THAN 27.9%~~ of
8 ~~the~~ 25% of the collections of the general sales tax imposed at a
9 rate of 4% directly or indirectly on fuels sold to propel motor
10 vehicles upon highways, on the sale of motor vehicles, and on the
11 sale of the parts and accessories of motor vehicles by new and used
12 car businesses, used car businesses, accessory dealer businesses,
13 and gasoline station businesses as classified by the department of
14 treasury ~~remaining after the allocations and distributions are made~~
15 ~~pursuant to subsections (2) and (3), the following amounts shall be~~
16 deposited each year into the ~~respective funds:~~

17 ~~—— (a) For the fiscal year ending September 30, 2003 and for the~~
18 ~~fiscal year ending September 30, 2006 and each fiscal year ending~~
19 ~~after September 30, 2006, not less than 27.9% to the comprehensive~~
20 ~~transportation fund~~ **CREATED IN SECTION 10B OF 1951 PA 51, MCL**
21 **247.660B.** ~~For the fiscal year ending September 30, 2004 through the~~
22 ~~fiscal year ending September 30, 2005, not less than 24% to the~~
23 ~~comprehensive transportation fund. For the fiscal year ending~~
24 ~~September 30, 2006 only, the amount deposited to the comprehensive~~
25 ~~transportation fund under this subdivision shall be reduced by~~
26 ~~\$11,100,000.00. For the fiscal year ending September 30, 2007 only,~~
27 ~~the amount deposited to the comprehensive transportation fund under~~

~~this subdivision shall be reduced by \$10,270,000.00. For the fiscal year ending September 30, 2008 only, the amount deposited to the comprehensive transportation fund under this subdivision shall be reduced by \$5,000,000.00 and shall be deposited in the state treasury to the credit of the general fund. For the fiscal year ending September 30, 2010 only, the amount deposited to the comprehensive transportation fund under this subdivision shall be reduced by \$5,700,000.00 and shall be deposited in the state treasury to the credit of the general fund.~~

~~— (b) The balance to the state general fund.~~

(5) FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2011 AND EACH FISCAL YEAR ENDING AFTER SEPTEMBER 30, 2011, AN AMOUNT EQUAL TO 18% OF THE COLLECTIONS OF THE TAX IMPOSED AT A RATE OF 4% UNDER THIS ACT FROM THE SALE OF MOTOR FUEL SHALL BE DEPOSITED INTO THE STATE TRUNK LINE FUND CREATED IN SECTION 11 OF 1951 PA 51, MCL 247.661, FOR THE PURPOSE OF MATCHING FEDERAL AID HIGHWAY FUNDS AS THOSE FEDERAL FUNDS ARE MADE AVAILABLE TO THIS STATE. AS USED IN THIS SUBSECTION, "MOTOR FUEL" MEANS THAT TERM AS DEFINED IN SECTION 4 OF THE MOTOR FUEL TAX ACT, 2000 PA 403, MCL 207.1004.

~~(6) (5) After the allocations and distributions are made pursuant to subsections (2) and (3), an AN amount equal to the collections of the tax imposed at a rate of 4% under this act from the sale at retail of computer software as defined in section 1a shall be deposited in the Michigan health initiative fund created in section 5911 of the public health code, 1978 PA 368, MCL 333.5911, and shall be considered in addition to, and is not intended as a replacement for any other money appropriated to the~~

1 department of community health. The funds deposited in the Michigan
2 health initiative fund on an annual basis shall not be less than
3 \$9,000,000.00 or more than \$12,000,000.00.

4 (7) ~~(6)~~—The balance in the state general fund shall be
5 disbursed only on an appropriation or appropriations by the
6 legislature.