

HOUSE BILL No. 4219

February 9, 2011, Introduced by Reps. Knollenberg and Forlini and referred to the Committee on Appropriations.

A bill to amend 1971 PA 140, entitled
"Glenn Steil state revenue sharing act of 1971,"
by amending section 13 (MCL 141.913), as amended by 2006 PA 437.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 13. (1) This subsection and subsection (2) apply to
2 distributions to cities, villages, and townships during the state
3 fiscal years before the 1996-1997 state fiscal year of collections
4 from the state income tax and single business tax. Except as
5 otherwise provided in subsection (2), the department of treasury
6 shall cause to be paid to each city, village, and township its
7 share, computed in accordance with the tax effort formula, of the
8 following revenues:

9 (a) During each August, November, February, and May, the

1 collections from the state income tax for the quarter periods
2 ending the prior June 30, September 30, December 31, and March 31
3 that are available for distribution to cities, villages, and
4 townships under the income tax act of 1967, 1967 PA 281, MCL 206.1
5 to 206.532.

6 (b) The amount of the collections from the single business tax
7 available for distribution to cities, villages, and townships under
8 ~~former section 136 of the single business tax act,~~ **FORMER** 1975 PA
9 228.

10 (2) The amount of collections of the state income tax
11 otherwise available for distribution to cities, villages, and
12 townships in November, February, and May, computed in accordance
13 with the tax effort formula, shall be increased by \$22,600,000.00.
14 The amount of collections otherwise available for distribution to
15 cities, villages, and townships in August, computed in accordance
16 with the tax effort formula, shall be decreased by \$67,800,000.00.

17 (3) This subsection applies to distributions to cities,
18 villages, and townships for the 1996-1997 state fiscal year. The
19 department **OF TREASURY** shall cause to be paid in accordance with
20 the tax effort formula an amount equal to 75.5% of the difference
21 between 21.3% of the sales tax collections at a rate of 4% in the
22 12-month period ending June 30 of the state fiscal year in which
23 the payments are made and the total distribution for the state
24 fiscal year under section 12a.

25 (4) The department of treasury shall cause to be paid during
26 the 1997-1998 state fiscal year an amount equal to 75.5% of the
27 difference between 21.3% of the sales tax collections at a rate of

1 4% in the 12-month period ending June 30 of the state fiscal year
2 in which the payments are made and the total distribution for the
3 state fiscal year under section 12a, both of the following:

4 (a) To each city, village, and township, the amount of
5 collections distributed under subsection (3) to cities, villages,
6 and townships for the 1996-1997 state fiscal year or its pro rata
7 share of the collections if the collections are less than the
8 amount of collections distributed under subsection (3) for the
9 1996-1997 state fiscal year. A city's, village's, or township's
10 share of revenues under this subdivision shall be computed using
11 the tax effort formula.

12 (b) To each city, village, and township its share of the
13 collections to the extent the total collections available for
14 distribution under this subsection exceed the amount distributed to
15 cities, villages, and townships under subdivision (a) for the
16 fiscal year. A city's, village's, or township's share of revenues
17 under this subdivision shall be computed on a per capita basis.

18 (5) Subject to section 13d, for the 1998-1999 through 2006-
19 2007 state fiscal years, the department of treasury shall cause
20 distributions determined under subsections (6) to (13) to be paid
21 to each city, village, and township from an amount equal to 74.94%
22 of 21.3% of the sales tax collections at a rate of 4% in the 12-
23 month period ending June 30 of the state fiscal year in which the
24 payments are made. After September 30, ~~2007-2010~~, 74.94% of 21.3%
25 of sales tax collections at a rate of 4% shall be distributed to
26 cities, villages, and townships ~~as provided by law~~ **ON A PER CAPITA**
27 **BASIS.**

1 (6) Subject to section 13d, for the 1998-1999 through 2006-
2 2007 state fiscal years, except for the 2002-2003 through 2006-2007
3 state fiscal years, and except as otherwise provided in subsection
4 (15), the department of treasury shall cause to be paid
5 \$333,900,000.00 to a city with a population of 750,000 or more as
6 the total combined distribution under this act and section 10 of
7 article IX of the state constitution of 1963 as annualized for any
8 period of less than 12 months to that city. For the 2002-2003 state
9 fiscal year only, the total combined distribution under this
10 subsection and section 10 of article IX of the state constitution
11 of 1963 shall be the lesser of \$322,213,500.00 or \$333,900,000.00
12 multiplied by the percentage as determined under this subsection.
13 For the 2002-2003 state fiscal year, the percentage under this
14 subsection shall be determined by dividing the sum of all payments
15 under section 10 of article IX of the state constitution of 1963
16 and \$791,070,000.00 by \$1,515,644,218.00. For the 2003-2004 state
17 fiscal year only, the total combined distribution under this
18 subsection and section 10 of article IX of the state constitution
19 of 1963 shall be the lesser of 92%, or the percentage determined
20 under this subsection, of the total combined distribution under
21 this subsection and section 10 of article IX of the state
22 constitution of 1963 for the 2002-2003 state fiscal year. For the
23 2003-2004 state fiscal year, the percentage under this subsection
24 shall be determined by dividing the sum of all payments under
25 section 10 of article IX of the state constitution of 1963 and
26 \$724,800,000.00 by \$1,407,850,000.00 and then subtracting 0.08. For
27 the 2004-2005 state fiscal year only, the total combined

1 distribution under this subsection and section 10 of article IX of
2 the state constitution of 1963 shall be the lesser of 100%, or the
3 percentage determined under this subsection, of the total combined
4 distribution under this subsection and section 10 of article IX of
5 the state constitution of 1963 for the 2003-2004 state fiscal year.
6 For the 2004-2005 state fiscal year, the percentage under this
7 subsection shall be determined by dividing the sum of all payments
8 under section 10 of article IX of the state constitution of 1963
9 and \$445,300,000.00 by \$1,126,300,000.00. For the 2005-2006 state
10 fiscal year only, the total combined distribution under this
11 subsection and section 10 of article IX of the state constitution
12 of 1963 shall be the lesser of 100%, or the percentage determined
13 under this subsection, of the total combined distribution under
14 this subsection and section 10 of article IX of the state
15 constitution of 1963 for the 2004-2005 state fiscal year. For the
16 2005-2006 state fiscal year, the percentage under this subsection
17 shall be determined by dividing the sum of all payments under
18 section 10 of article IX of the state constitution of 1963 for the
19 2005-2006 state fiscal year and \$423,350,000.00 by
20 \$1,115,875,000.00. For the 2006-2007 state fiscal year only, the
21 total combined distribution under this subsection and section 10 of
22 article IX of the state constitution of 1963 shall be the lesser of
23 100%, or the percentage determined under this subsection, of the
24 total combined distribution under this subsection and section 10 of
25 article IX of the state constitution of 1963 for the 2005-2006
26 state fiscal year. For the 2006-2007 state fiscal year, the
27 percentage under this subsection shall be determined by dividing

1 the sum of all payments under section 10 of article IX of the state
2 constitution of 1963 for the 2006-2007 state fiscal year and
3 \$407,485,000.00 by \$1,106,410,000.00.

4 (7) Except as otherwise provided in this subsection,
5 distributions under subsections (8) to (13) to cities, villages,
6 and townships with populations of less than 750,000 shall be made
7 from the amount available for distribution under this section that
8 remains after the distribution under subsection (6) is made. For
9 the 2002-2003 state fiscal year only, each city, village, and
10 township with a population of less than 750,000 shall receive the
11 lesser of 96.5%, or the percentage determined under this
12 subsection, of the amount that the city, village, or township would
13 have received if the total available for distribution under
14 subsections (8) to (13) were \$363,069,728.00 and the total
15 available for distribution under section 10 of article IX of the
16 state constitution of 1963 were \$607,125,488.00. The total amount
17 available for distribution to all cities, villages, and townships
18 under this subsection shall not exceed \$936,238,383.00. For the
19 2002-2003 state fiscal year, the percentage under this subsection
20 shall be determined by dividing the sum of all payments under
21 section 10 of article IX of the state constitution of 1963 and
22 \$791,070,000.00 by \$1,515,644,218.00. For the 2003-2004 state
23 fiscal year only, each city, village, and township with a
24 population of less than 750,000 shall receive an amount equal to
25 the lesser of 92%, or the percentage determined under this
26 subsection, of the amount distributed to the city, village, or
27 township under this subsection and section 10 of article IX of the

1 state constitution of 1963 for the 2002-2003 state fiscal year. For
2 the 2003-2004 state fiscal year, the percentage under this
3 subsection shall be determined by dividing the sum of all payments
4 under section 10 of article IX of the state constitution of 1963
5 and \$724,800,000.00 by \$1,407,850,000.00 and then subtracting 0.08.
6 For the 2004-2005 state fiscal year only, the combined distribution
7 under this subsection and section 10 of article IX of the state
8 constitution of 1963 to each city, village, and township with a
9 population of less than 750,000 shall be the lesser of 100%, or the
10 percentage determined under this subsection, of the total combined
11 distribution to that city, village, or township under this
12 subsection and section 10 of article IX of the state constitution
13 of 1963 for the 2003-2004 state fiscal year. For the 2004-2005
14 state fiscal year, the percentage under this subsection shall be
15 determined by dividing the sum of all payments under section 10 of
16 article IX of the state constitution of 1963 and \$445,300,000.00 by
17 \$1,126,300,000.00. For the 2005-2006 state fiscal year only, the
18 total combined distribution under this subsection and section 10 of
19 article IX of the state constitution of 1963 shall be the lesser of
20 100%, or the percentage determined under this subsection, of the
21 total combined distribution under this subsection and section 10 of
22 article IX of the state constitution of 1963 for the 2004-2005
23 state fiscal year. For the 2005-2006 state fiscal year, the
24 percentage under this subsection shall be determined by dividing
25 the sum of all payments under section 10 of article IX of the state
26 constitution of 1963 for the 2005-2006 state fiscal year and
27 \$423,350,000.00 by \$1,115,875,000.00. For the 2006-2007 state

1 fiscal year only, the total combined distribution under this
2 subsection and section 10 of article IX of the state constitution
3 of 1963 shall be the lesser of 100%, or the percentage determined
4 under this subsection, of the total combined distribution under
5 this subsection and section 10 of article IX of the state
6 constitution of 1963 for the 2005-2006 state fiscal year. For the
7 2006-2007 state fiscal year, the percentage under this subsection
8 shall be determined by dividing the sum of all payments under
9 section 10 of article IX of the state constitution of 1963 for the
10 2006-2007 state fiscal year and \$407,485,000.00 by
11 \$1,106,410,000.00. The amount of the adjustment under this
12 subsection shall be accomplished by reducing the payments under
13 subsections (8) to (13), and payments under section 10 of article
14 IX shall not be reduced based on any adjustments made under this
15 subsection.

16 (8) Subject to section 13d, for the 1998-1999 through 2006-
17 2007 state fiscal years, for cities, villages, and townships with
18 populations of less than 750,000, subject to the limitations under
19 this section, a taxable value payment shall be made to each city,
20 village, and township determined as follows:

21 (a) Determine the per capita taxable value for each city,
22 village, and township by dividing the taxable value of that city,
23 village, or township by the population of that city, village, or
24 township.

25 (b) Determine the statewide per capita taxable value by
26 dividing the total taxable value of all cities, villages, and
27 townships by the total population of all cities, villages, and

1 townships.

2 (c) Determine the per capita taxable value ratio for each
3 city, village, and township by dividing the statewide per capita
4 taxable value by the per capita taxable value for that city,
5 village, or township.

6 (d) Determine the adjusted taxable value population for each
7 city, village, and township by multiplying the per capita taxable
8 value ratio as determined under subdivision (c) for that city,
9 village, or township by the population of that city, village, or
10 township.

11 (e) Determine the total statewide adjusted taxable value
12 population which is the sum of all adjusted taxable value
13 population for all cities, villages, and townships.

14 (f) Determine the taxable value payment rate by dividing
15 74.94% of 21.3% of the sales tax collections at a rate of 4% in the
16 12-month period ending June 30 of the state fiscal year in which
17 the payments under this subsection are made by 3, and dividing that
18 result by the total statewide adjusted taxable value population as
19 determined under subdivision (e).

20 (g) Determine the taxable value payment for each city,
21 village, and township by multiplying the result under subdivision
22 (f) by the adjusted taxable value population for that city,
23 village, or township.

24 (9) Subject to section 13d, for the 1998-1999 through 2005-
25 2006 state fiscal years and for the period of October 1, 2006
26 through September 30, 2007, subject to the limitations under this
27 section and except as provided in subsection (14), a unit type

1 population payment shall be made to each city, village, and
2 township with a population of less than 750,000 determined as
3 follows:

4 (a) Determine the unit type population weight factor for each
5 city, village, and township as follows:

6 (i) For a township with a population of 5,000 or less, the unit
7 type population weight factor is 1.0.

8 (ii) For a township with a population of more than 5,000 but
9 less than 10,001, the unit type population weight factor is 1.2.

10 (iii) For a township with a population of more than 10,000 but
11 less than 20,001, the unit type population weight factor is 1.44.

12 (iv) For a township with a population of more than 20,000 but
13 less than 40,001, the unit type population weight factor is 1.73.

14 (v) For a township with a population of more than 40,000 but
15 less than 80,001, the unit type population weight factor is 2.07.

16 (vi) For a township with a population of more than 80,000, the
17 unit type population weight factor is 2.49.

18 (vii) For a village with a population of 5,000 or less, the
19 unit type population weight factor is 1.5.

20 (viii) For a village with a population of more than 5,000 but
21 less than 10,001, the unit type population weight factor is 1.8.

22 (ix) For a village with a population of more than 10,000, the
23 unit type population weight factor is 2.16.

24 (x) For a city with a population of 5,000 or less, the unit
25 type population weight factor is 2.5.

26 (xi) For a city with a population of more than 5,000 but less
27 than 10,001, the unit type population weight factor is 3.0.

1 (xii) For a city with a population of more than 10,000 but less
2 than 20,001, the unit type population weight factor is 3.6.

3 (xiii) For a city with a population of more than 20,000 but less
4 than 40,001, the unit type population weight factor is 4.32.

5 (xiv) For a city with a population of more than 40,000 but less
6 than 80,001, the unit type population weight factor is 5.18.

7 (xv) For a city with a population of more than 80,000 but less
8 than 160,001, the unit type population weight factor is 6.22.

9 (xvi) For a city with a population of more than 160,000 but
10 less than 320,001, the unit type population weight factor is 7.46.

11 (xvii) For a city with a population of more than 320,000 but
12 less than 640,001, the unit type population weight factor is 8.96.

13 (xviii) For a city with a population of more than 640,000, the
14 unit type population weight factor is 10.75.

15 (b) Determine the adjusted unit type population for each city,
16 village, and township by multiplying the unit type population
17 weight factor for that city, village, or township as determined
18 under subdivision (a) by the population of the city, village, or
19 township.

20 (c) Determine the total statewide adjusted unit type
21 population, which is the sum of the adjusted unit type population
22 for all cities, villages, and townships.

23 (d) Determine the unit type population payment rate by
24 dividing 74.94% of 21.3% of the sales tax collections at a rate of
25 4% in the 12-month period ending June 30 of the state fiscal year
26 in which the payments under this subsection are made by 3, and then
27 dividing that result by the total statewide adjusted unit type

1 population as determined under subdivision (c).

2 (e) Determine the unit type population payment for each city,
3 village, and township by multiplying the result under subdivision
4 (d) by the adjusted unit type population for that city, village, or
5 township.

6 (10) Subject to section 13d, for the 1998-1999 through 2005-
7 2006 state fiscal years and for the period of October 1, 2006
8 through September 30, 2007, subject to the limitations under this
9 section, a yield equalization payment shall be made to each city,
10 village, and township with a population of less than 750,000
11 sufficient to provide the guaranteed tax base for a local tax
12 effort not to exceed 0.02. The payment shall be determined as
13 follows:

14 (a) The guaranteed tax base is the maximum combined state and
15 local per capita taxable value that can be guaranteed in a state
16 fiscal year to each city, village, and township for a local tax
17 effort not to exceed 0.02 if an amount equal to 74.94% of 21.3% of
18 the state sales tax at a rate of 4% is distributed to cities,
19 villages, and townships whose per capita taxable value is below the
20 guaranteed tax base.

21 (b) The full yield equalization payment to each city, village,
22 and township is the product of the amounts determined under
23 subparagraphs (i) and (ii):

24 (i) An amount greater than zero that is equal to the difference
25 between the guaranteed tax base determined in subdivision (a) and
26 the per capita taxable value of the city, village, or township.

27 (ii) The local tax effort of the city, village, or township,

1 not to exceed 0.02, multiplied by the population of that city,
2 village, or township.

3 (c) The yield equalization payment is the full yield
4 equalization payment divided by 3.

5 (11) For ~~state fiscal years after the~~ 1997-1998 **THROUGH 2006-**
6 **2007** state fiscal ~~year~~-**YEARS**, distributions under this section for
7 cities, villages, and townships with populations of less than
8 750,000 shall be determined as follows:

9 (a) For the 1998-1999 state fiscal year, the payment under
10 this section for each city, village, and township shall be the sum
11 of the following:

12 (i) Ninety percent of the total amount available for
13 distribution under subsections (8), (9), and (10) for the 1998-1999
14 state fiscal year multiplied by the city's, village's, or
15 township's percentage share of the distributions under this section
16 and section 12a minus the amount of a distribution under this
17 section and section 12a to a city that is eligible to receive a
18 distribution under subsection (6) in the 1997-1998 state fiscal
19 year.

20 (ii) Ten percent of the total amount available for distribution
21 under subsections (8), (9), and (10) for the 1998-1999 state fiscal
22 year multiplied by the percentage share of the distribution amounts
23 calculated under subsections (8), (9), and (10).

24 (b) For the 1999-2000 state fiscal year, the payment under
25 this section for each city, village, and township shall be the sum
26 of the following:

27 (i) Eighty percent of the total amount available for

1 distribution under subsections (8), (9), and (10) for the 1999-2000
2 state fiscal year multiplied by the city's, village's, or
3 township's percentage share of the distributions under this section
4 and section 12a minus the amount of a distribution under this
5 section and section 12a to a city that is eligible to receive a
6 distribution under subsection (6) in the 1997-1998 state fiscal
7 year.

8 (ii) Twenty percent of the total amount available for
9 distribution under subsections (8), (9), and (10) for the 1999-2000
10 state fiscal year multiplied by the city's, village's, or
11 township's percentage share of the distribution amounts calculated
12 under subsections (8), (9), and (10).

13 (c) For the 2000-2001 state fiscal year, the payment under
14 this section for each city, village, and township shall be the sum
15 of the following:

16 (i) Seventy percent of the total amount available for
17 distribution under subsections (8), (9), and (10) for the 2000-2001
18 state fiscal year multiplied by the city's, village's, or
19 township's percentage share of the distributions under this section
20 and section 12a minus the amount of a distribution under this
21 section and section 12a to a city that is eligible to receive a
22 distribution under subsection (6) in the 1997-1998 state fiscal
23 year.

24 (ii) Thirty percent of the total amount available for
25 distribution under subsections (8), (9), and (10) for the 2000-2001
26 state fiscal year multiplied by the percentage share of the
27 distribution amounts calculated under subsections (8), (9), and

1 (10).

2 (d) For the 2001-2002 state fiscal year, the payment under
3 this section for each city, village, and township shall be the sum
4 of the following:

5 (i) Sixty percent of the total amount available for
6 distribution under subsections (8), (9), and (10) for the 2001-2002
7 state fiscal year multiplied by the city's, village's, or
8 township's percentage share of the distributions under this section
9 and section 12a minus the amount of a distribution under this
10 section and section 12a to a city that is eligible to receive a
11 distribution under subsection (6) in the 1997-1998 state fiscal
12 year.

13 (ii) Forty percent of the total amount available for
14 distribution under subsections (8), (9), and (10) for the 2001-2002
15 state fiscal year multiplied by the percentage share of the
16 distribution amounts calculated under subsections (8), (9), and
17 (10).

18 (e) For the 2002-2003 state fiscal year, the payment under
19 this section for each city, village, and township shall be the sum
20 of the following:

21 (i) Fifty percent of the total amount available for
22 distribution under subsections (8), (9), and (10) for the 2002-2003
23 state fiscal year multiplied by the city's, village's, or
24 township's percentage share of the distributions under this section
25 and section 12a minus the amount of a distribution under this
26 section and section 12a to a city that is eligible to receive a
27 distribution under subsection (6) in the 1997-1998 state fiscal

1 year.

2 (ii) Fifty percent of the total amount available for
3 distribution under subsections (8), (9), and (10) for the 2002-2003
4 state fiscal year multiplied by the percentage share of the
5 distribution amounts calculated under subsections (8), (9), and
6 (10).

7 (f) For the 2003-2004 state fiscal year, the payment under
8 this section for each city, village, and township shall be the sum
9 of the following:

10 (i) Forty percent of the total amount available for
11 distribution under subsections (8), (9), and (10) for the 2003-2004
12 state fiscal year multiplied by the city's, village's, or
13 township's percentage share of the distributions under this section
14 and section 12a minus the amount of a distribution under this
15 section and section 12a to a city that is eligible to receive a
16 distribution under subsection (6) in the 1997-1998 state fiscal
17 year.

18 (ii) Sixty percent of the total amount available for
19 distribution under subsections (8), (9), and (10) for the 2003-2004
20 state fiscal year multiplied by the percentage share of the
21 distribution amounts calculated under subsections (8), (9), and
22 (10).

23 (g) For the 2004-2005 state fiscal year, the payment under
24 this section for each city, village, and township shall be the sum
25 of the following:

26 (i) Thirty percent of the total amount available for
27 distribution under subsections (8), (9), and (10) for the 2004-2005

1 state fiscal year multiplied by the city's, village's, or
2 township's percentage share of the distributions under this section
3 and section 12a minus the amount of a distribution under this
4 section and section 12a to a city that is eligible to receive a
5 distribution under subsection (6) in the 1997-1998 state fiscal
6 year.

7 (ii) Seventy percent of the total amount available for
8 distribution under subsections (8), (9), and (10) for the 2004-2005
9 state fiscal year multiplied by the percentage share of the
10 distribution amounts calculated under subsections (8), (9), and
11 (10).

12 (h) For the 2005-2006 state fiscal year, the payment under
13 this section for each city, village, and township shall be the sum
14 of the following:

15 (i) Twenty percent of the total amount available for
16 distribution under subsections (8), (9), and (10) for the 2005-2006
17 state fiscal year multiplied by the city's, village's, or
18 township's percentage share of the distributions under this section
19 and section 12a minus the amount of a distribution under this
20 section and section 12a to a city that is eligible to receive a
21 distribution under subsection (6) in the 1997-1998 state fiscal
22 year.

23 (ii) Eighty percent of the total amount available for
24 distribution under subsections (8), (9), and (10) for the 2005-2006
25 state fiscal year multiplied by the percentage share of the
26 distribution amounts calculated under subsections (8), (9), and
27 (10).

1 (i) For the period of October 1, 2006 through September 30,
2 2007, the payment under this section for each city, village, and
3 township shall be the sum of the following:

4 (i) Ten percent of the total amount available for distribution
5 under subsections (8), (9), and (10) for the 2006-2007 state fiscal
6 year multiplied by the city's, village's, or township's percentage
7 share of the distributions under this section and section 12a minus
8 the amount of a distribution under this section and section 12a to
9 a city that is eligible to receive a distribution under subsection
10 (6) in the 1997-1998 state fiscal year.

11 (ii) Ninety percent of the total amount available for
12 distribution under subsections (8), (9), and (10) for the 2006-2007
13 state fiscal year multiplied by the percentage share of the
14 distribution amounts calculated under subsections (8), (9), and
15 (10).

16 (12) Except as otherwise provided in this subsection **FOR STATE**
17 **FISCAL YEARS BEFORE THE 2010-2011 STATE FISCAL YEAR**, the total
18 payment to any city, village, or township under this act and
19 section 10 of article IX of the state constitution of 1963 shall
20 not increase by more than 8% over the amount of the payment under
21 this act and section 10 of article IX of the state constitution of
22 1963 in the immediately preceding state fiscal year. From the
23 amount not distributed because of the limitation imposed by this
24 subsection, the department **OF TREASURY** shall distribute an amount
25 to certain cities, villages, and townships such that the percentage
26 increase in the total payment under this act and section 10 of
27 article IX of the state constitution of 1963 from the immediately

1 preceding state fiscal year to each of those cities, villages, and
2 townships is equal to, but does not exceed, the percentage increase
3 from the immediately preceding state fiscal year of any city,
4 village, or township that does not receive a distribution under
5 this subsection. This subsection does not apply for state fiscal
6 years after the 2000 federal decennial census becomes official to a
7 city, village, or township with a 10% or more increase in
8 population from the official 1990 federal decennial census to the
9 official 2000 federal decennial census.

10 (13) The percentage allocations to distributions under
11 subsections (8) to (10) pursuant to subsection (11) shall be
12 calculated as if, in any state fiscal year, the amount appropriated
13 under this section for distribution to cities, villages, and
14 townships is 74.94% of 21.3% of the sales tax at a rate of 4%. If
15 the amount appropriated under this section to cities, villages, and
16 townships is less than 74.94% of 21.3% of the sales tax at a rate
17 of 4%, any reduction made necessary by this appropriation in
18 distributions to cities, villages, and townships shall first be
19 applied to the distribution under subsections (8) to (10) and any
20 remaining amount shall be applied to the other distributions under
21 this section.

22 (14) A township that provides for or makes available fire,
23 police on a 24-hour basis either through contracting for or
24 directly employing personnel, water to 50% or more of its
25 residents, and sewer services to 50% or more of its residents and
26 has a population of 10,000 or more or a township that has a
27 population of 20,000 or more shall use the unit type population

1 weight factor under subsection (9)(a) for a city with the same
2 population as the township.

3 (15) For a state fiscal year in which the sales tax
4 collections decrease from the sales tax collections for the
5 immediately preceding state fiscal year, the department **OF TREASURY**
6 shall reduce the amount to be distributed to a city with a
7 population of 750,000 or more under subsection (6) by an amount
8 determined by subtracting the amount the city is eligible for under
9 section 10 of article IX of the state constitution of 1963 for the
10 state fiscal year from \$333,900,000.00 and multiplying that result
11 by the same percentage as the percentage decrease in sales tax
12 collections for that state fiscal year as compared to sales tax
13 collections for the immediately preceding state fiscal year. This
14 subsection does not apply to the 2002-2003 through 2006-2007 state
15 fiscal years **OR AFTER THE 2009-2010 STATE FISCAL YEAR.**

16 (16) Notwithstanding any other provision of this section for
17 the 1998-1999 state fiscal year, the total combined amount received
18 by each city, village, and township under this section and section
19 10 of article IX of the state constitution of 1963 shall not be
20 less than the combined amount received under this section, section
21 12a, and section 10 of article IX of the state constitution of 1963
22 in the 1997-1998 state fiscal year. The increase, if any, for each
23 city, village, and township from the 1997-1998 state fiscal year,
24 other than a city that receives a distribution under subsection
25 (6), shall be reduced by a uniform percentage to the extent
26 necessary to fund distributions under this subsection.

27 (17) The payments under subsections (3), (4), and (5) shall be

1 made during each October, December, February, April, June, and
2 August. Payments under subsections (3), (4), and (5) shall be based
3 on collections from the sales tax at the rate of 4% in the 2-month
4 period ending the prior August 31, October 31, December 31,
5 February 28, April 30, and June 30, and for the 1996-1997 and 1997-
6 1998 state fiscal years only, the payments shall be reduced by 1/6
7 of the total distribution for the state fiscal year under section
8 12a.

9 (18) Payments under this section shall be made from revenues
10 collected during the state fiscal year in which the payments are
11 made.

12 (19) Distributions provided for by this act are subject to an
13 annual appropriation by the legislature.

14 (20) After the department **OF TREASURY** has informed a city,
15 village, or township in writing of the intent to withhold all or a
16 portion of payments under this section and offered the affected
17 city, village, or township an opportunity for an informal
18 conference on the matter, the department of treasury may withhold
19 all or a portion of payments under this section to a city, village,
20 or township that has not distributed 1 or more of the following:

21 (a) An industrial facilities tax as required under 1974 PA
22 198, MCL 207.551 to 207.572.

23 (b) The specific tax as required under section 21b of the
24 enterprise zone act, 1985 PA 224, MCL 125.2121b.

25 (c) Any portion of the state education tax levied under the
26 state education tax act, 1993 PA 331, MCL 211.901 to 211.906, or of
27 property taxes levied for any purpose by a local or intermediate

1 school district under the revised school code, 1976 PA 451, MCL
2 380.1 to 380.1852, determined by the state tax commission to have
3 been wrongfully captured and retained to implement a tax increment
4 financing plan under 1975 PA 197, MCL 125.1651 to 125.1681, the tax
5 increment finance authority act, 1980 PA 450, MCL 125.1801 to
6 125.1830, or the local development financing act, 1986 PA 281, MCL
7 125.2151 to 125.2174.