

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 823

A bill to amend 1893 PA 206, entitled
"The general property tax act,"
by amending sections 9f, 9m, and 19 (MCL 211.9f, 211.9m, and
211.19), section 9f as amended by 2012 PA 399, section 9m as
amended by 2013 PA 154, and section 19 as amended by 2013 PA 153,
and by adding section 27e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9f. (1) The governing body of an eligible local assessing
2 district or, subject to subsection (4), the board of a next
3 Michigan development corporation in which an eligible local
4 assessing district is a constituent member may adopt a resolution
5 to exempt from the collection of taxes under this act all new
6 personal property owned or leased by an eligible business located

1 in 1 or more eligible districts or distressed parcels designated in
2 the resolution or an eligible next Michigan business as provided in
3 this section. The clerk of the eligible local assessing district or
4 the recording officer of a next Michigan development corporation
5 shall notify in writing the assessor of the local tax collecting
6 unit in which the eligible district or distressed parcel is located
7 and the legislative body of each taxing unit that levies ad valorem
8 property taxes in the eligible local assessing district in which
9 the eligible district or distressed parcel is located. Before
10 acting on the resolution, the governing body of the eligible local
11 assessing district or a next Michigan development corporation shall
12 afford the assessor and a representative of the affected taxing
13 units an opportunity for a hearing.

14 (2) The exemption under this section is effective on the
15 December 31 immediately succeeding the adoption of the resolution
16 by the governing body of the eligible local assessing district or a
17 next Michigan development corporation and, except as otherwise
18 provided in subsection (8), shall continue in effect for a period
19 specified in the resolution. However, an exemption shall not be
20 granted under this section after December 31, 2012 for an eligible
21 business located in an eligible district identified in subsection
22 ~~(9) (f) (ix)~~ **(10) (F) (ix)** or in an eligible local assessing district
23 identified in subsection ~~(9) (h) (ii)~~ **(10) (H) (ii)**. A copy of the
24 resolution shall be filed with the state tax commission, the state
25 treasurer, and the president of the Michigan strategic fund. A
26 resolution is not effective unless approved as provided in
27 subsection (3).

1 (3) Not more than 60 days after receipt of a copy of the
2 resolution adopted by the governing body of an eligible local
3 assessing district under subsection (1), the state tax commission
4 shall determine if the new personal property subject to the
5 exemption is owned or leased by an eligible business and if the
6 eligible business is located in 1 or more eligible districts. If
7 the state tax commission determines that the new personal property
8 subject to the exemption is owned or leased by an eligible business
9 and that the eligible business is located in 1 or more eligible
10 districts, the state treasurer, with the written concurrence of the
11 president of the Michigan strategic fund, shall approve the
12 resolution adopted under subsection (1) if the state treasurer and
13 the president of the Michigan strategic fund determine that
14 exempting new personal property of the eligible business is
15 necessary to reduce unemployment, promote economic growth, and
16 increase capital investment in this state. In addition, for an
17 eligible business located in an eligible local assessing district
18 described in subsection ~~(9)(h)(ii)~~, **(10)(H)(ii)**, the resolution
19 adopted under subsection (1) shall be approved if the state
20 treasurer and the president of the Michigan strategic fund
21 determine that granting the exemption is a net benefit to this
22 state, that expansion, retention, or location of an eligible
23 business will not occur in this state without this exemption, and
24 that there is no significant negative effect on employment in other
25 parts of this state as a result of the exemption.

26 (4) A next Michigan development corporation may only adopt a
27 resolution under subsection (1) exempting new personal property

1 from the collection of taxes under this act for new personal
2 property located in a next Michigan development district. A next
3 Michigan development corporation shall not adopt a resolution under
4 subsection (1) exempting new personal property from the collection
5 of taxes under this act without a written agreement entered into
6 with the eligible next Michigan business subject to the exemption,
7 which written agreement contains a remedy provision that includes,
8 but is not limited to, all of the following:

9 (a) A requirement that the exemption under this section is
10 revoked if the eligible next Michigan business is determined to be
11 in violation of the provisions of the written agreement.

12 (b) A requirement that the eligible next Michigan business may
13 be required to repay all or part of the personal property taxes
14 exempted under this section if the eligible next Michigan business
15 is determined to be in violation of the provisions of the written
16 agreement.

17 (5) Subject to subsections (6) and (8), if an existing
18 eligible business sells or leases new personal property exempt
19 under this section to an acquiring eligible business, the exemption
20 granted to the existing eligible business shall continue in effect
21 for the period specified in the resolution adopted under subsection
22 (1) for the new personal property purchased or leased from the
23 existing eligible business by the acquiring eligible business and
24 for any new personal property purchased or leased by the acquiring
25 eligible business.

26 (6) After December 31, 2007, an exemption for an existing
27 eligible business shall continue in effect for an acquiring

1 eligible business under subsection (5) only if the continuation of
2 the exemption is approved in a resolution adopted by the governing
3 body of an eligible local assessing district or the board of a next
4 Michigan development corporation in which the eligible local
5 assessing district is a constituent member.

6 (7) Notwithstanding the amendatory act that added section
7 2(1)(c), all of the following shall apply to an exemption under
8 this section that was approved by the state tax commission on or
9 before April 30, 1999, regardless of the effective date of the
10 exemption:

11 (a) The exemption shall be continued for the term authorized
12 by the resolution adopted by the governing body of the eligible
13 local assessing district and approved by the state tax commission
14 with respect to buildings and improvements constructed on leased
15 real property during the term of the exemption if the value of the
16 real property is not assessed to the owner of the buildings and
17 improvements.

18 (b) The exemption shall not be impaired or restricted with
19 respect to buildings and improvements constructed on leased real
20 property during the term of the exemption if the value of the real
21 property is not assessed to the owner of the buildings and
22 improvements.

23 (8) Notwithstanding any other provision of this section to the
24 contrary and subject to subsection (9), if new personal property
25 exempt under this section on December 31, 2012 is eligible
26 manufacturing personal property, that eligible manufacturing
27 personal property shall remain exempt under this section until the

1 later of the following:

2 (a) The date that eligible manufacturing personal property
3 would otherwise be exempt from the collection of taxes under this
4 act under section 9m, 9n, or 9o.

5 (b) The date that eligible manufacturing personal property is
6 no longer exempt under the resolution adopted under subsection (1).

7 (9) If **EITHER** House Bill No. 6026 of the 96th Legislature,
8 **2012 PA 408, OR SENATE BILL NO. 822 OF THE 97TH LEGISLATURE** is ~~not~~
9 ~~approved by a majority of~~ **PRESENTED TO** the qualified electors of
10 this state ~~voting on the question~~ at an election to be held on the
11 August regular election date in 2014 **AND THE BILL PRESENTED IS NOT**
12 **APPROVED BY A MAJORITY OF THE QUALIFIED ELECTORS OF THIS STATE**
13 **VOTING ON THE QUESTION**, subsection (8) shall not apply after the
14 date of that election.

15 (10) As used in this section:

16 (a) "Acquiring eligible business" means an eligible business
17 that purchases or leases assets of an existing eligible business,
18 including the purchase or lease of new personal property exempt
19 under this section, and that will conduct business operations
20 similar to those of the existing eligible business at the location
21 of the existing eligible business within the eligible district.

22 (b) "Authorized business" means that term as defined in
23 section 3 of the Michigan economic growth authority act, 1995 PA
24 24, MCL 207.803.

25 (c) "Eligible manufacturing personal property" means that term
26 as defined in section 9m.

27 (d) "Distressed parcel" means a parcel of real property

1 located in a city or village that meets all of the following
2 conditions:

3 (i) Is located in a qualified downtown revitalization district.

4 As used in this subparagraph, "qualified downtown revitalization
5 district" means an area located within 1 or more of the following:

6 (A) The boundaries of a downtown district as defined in
7 section 1 of 1975 PA 197, MCL 125.1651.

8 (B) The boundaries of a principal shopping district or a
9 business improvement district as defined in section 1 of 1961 PA
10 120, MCL 125.981.

11 (C) The boundaries of the local governmental unit in an area
12 that is zoned and primarily used for business as determined by the
13 local governmental unit.

14 (ii) Meets 1 of the following conditions:

15 (A) Has a blighted or functionally obsolete building located
16 on the parcel. As used in this sub-subparagraph, "blighted" and
17 "functionally obsolete" mean those terms as defined in section 2 of
18 the brownfield redevelopment financing act, 1996 PA 381, MCL
19 125.2652.

20 (B) Is a vacant parcel that had been previously occupied.

21 (iii) Is zoned to allow for mixed use.

22 (e) "Eligible business" means, effective August 7, 1998, a
23 business engaged primarily in manufacturing, mining, research and
24 development, wholesale trade, office operations, or the operation
25 of a facility for which the business that owns or operates the
26 facility is an eligible taxpayer. For purposes of a next Michigan
27 development corporation, eligible business means only an eligible

1 next Michigan business. Eligible business does not include a
2 casino, retail establishment, professional sports stadium, or that
3 portion of an eligible business used exclusively for retail sales.
4 Professional sports stadium does not include a sports stadium in
5 existence on June 6, 2000 that is not used by a professional sports
6 team on the date of the resolution adopted pursuant to subsection
7 (1). As used in this subdivision, "casino" means a casino regulated
8 by this state pursuant to the Michigan gaming control and revenue
9 act, 1996 IL 1, MCL 432.201 to 432.226, and all property associated
10 or affiliated with the operation of a casino, including, but not
11 limited to, a parking lot, hotel, motel, or retail store.

12 (f) "Eligible district" means 1 or more of the following:

13 (i) An industrial development district as that term is defined
14 in 1974 PA 198, MCL 207.551 to 207.572.

15 (ii) A renaissance zone as that term is defined in the Michigan
16 renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696.

17 (iii) An enterprise zone as that term is defined in the
18 enterprise zone act, 1985 PA 224, MCL 125.2101 to 125.2123.

19 (iv) A brownfield redevelopment zone as that term is designated
20 under the brownfield redevelopment financing act, 1996 PA 381, MCL
21 125.2651 to 125.2672.

22 (v) An empowerment zone designated under subchapter U of
23 chapter 1 of the internal revenue code of 1986, 26 USC 1391 to
24 1397F.

25 (vi) An authority district or a development area as those terms
26 are defined in the tax increment finance authority act, 1980 PA
27 450, MCL 125.1801 to 125.1830.

1 (vii) An authority district as that term is defined in the
2 local development financing act, 1986 PA 281, MCL 125.2151 to
3 125.2174.

4 (viii) A downtown district or a development area as those terms
5 are defined in 1975 PA 197, MCL 125.1651 to 125.1681.

6 (ix) An area that contains an eligible taxpayer.

7 (x) A next Michigan development district.

8 (g) "Eligible distressed area" means 1 of the following:

9 (i) That term as defined in section 11 of the state housing
10 development authority act of 1966, 1966 PA 346, MCL 125.1411.

11 (ii) An area that contains an eligible taxpayer.

12 (h) "Eligible local assessing district" means a city, village,
13 or township that contains an eligible distressed area or that is a
14 party to an intergovernmental agreement creating a next Michigan
15 development corporation, or a city, village, or township that meets
16 1 or more of the following conditions and is located in a county
17 all or a portion of which borders another state or Canada:

18 (i) Is currently served by not fewer than 4 of the following
19 existing services:

20 (A) Water.

21 (B) Sewer.

22 (C) Police.

23 (D) Fire.

24 (E) Trash.

25 (F) Recycling.

26 (ii) Is party to an agreement under 1984 PA 425, MCL 124.21 to
27 124.30, with a city, village, or township that provides not fewer

1 than 4 of the following existing services:

2 (A) Water.

3 (B) Sewer.

4 (C) Police.

5 (D) Fire.

6 (E) Trash.

7 (F) Recycling.

8 (i) "Eligible next Michigan business" means that term as
9 defined in section 3 of the Michigan economic growth authority act,
10 1995 PA 24, MCL 207.803.

11 (j) "Eligible taxpayer" means a taxpayer that meets both of
12 the following conditions:

13 (i) Is an authorized business.

14 (ii) Is eligible for tax credits described in section 9 of the
15 Michigan economic growth authority act, 1995 PA 24, MCL 207.809.

16 (k) "Existing eligible business" means an eligible business
17 identified in a resolution adopted under subsection (1) for which
18 an exemption has been granted under this section.

19 (l) "New personal property" means personal property that was
20 not previously subject to tax under this act or was not previously
21 placed in service in this state and that is placed in an eligible
22 district after a resolution under subsection (1) is approved. As
23 used in this subdivision, for exemptions approved by the state
24 treasurer under subsection (3) after April 30, 1999, new personal
25 property does not include buildings described in section 14(6) and
26 personal property described in section 8(h), (i), and (j).

27 (m) "Next Michigan development corporation" and "next Michigan

1 development district" mean those terms as defined under the next
2 Michigan development act, 2010 PA 275, MCL 125.2951 to 125.2959.

3 Sec. 9m. (1) Beginning December 31, 2015 and each year
4 thereafter, qualified new personal property for which an exemption
5 has been properly claimed under subsection (2) is exempt from the
6 collection of taxes under this act.

7 (2) A person shall claim the exemption under this section by
8 filing an affidavit with the local tax collecting unit in which the
9 qualified new personal property is located as provided in
10 subsection (3). The affidavit shall be in a form prescribed by the
11 state tax commission. An affidavit claiming an exemption under this
12 section applies to all existing and subsequently acquired qualified
13 new personal property. **THE LOCAL TAX COLLECTING UNIT SHALL TRANSMIT**
14 **THE AFFIDAVITS FILED, OR THE INFORMATION CONTAINED IN THE**
15 **AFFIDAVITS FILED, UNDER THIS SECTION AND UNDER SECTION 9N TO THE**
16 **DEPARTMENT OF TREASURY IN THE FORM AND IN THE MANNER PRESCRIBED BY**
17 **THE DEPARTMENT OF TREASURY.**

18 (3) If a person claiming an exemption under this section has
19 not filed an affidavit under this section in any prior year with
20 the local tax collecting unit in which the qualified new personal
21 property is located, that person shall file the affidavit described
22 under subsection (2) with that local tax collecting unit not later
23 than February 10 of the first year for which the person is claiming
24 the exemption for qualified new personal property in the local tax
25 collecting unit.

26 (4) Except for a person claiming an exemption under this
27 section for personal property that was subject to section 9f or

1 1974 PA 198, MCL 207.551 to 207.572, in 2015, if an affidavit
2 claiming the exemption under this section is filed as provided in
3 subsection (3) by February 10, 2016, and the person claiming the
4 exemption under this section complied with section 19(9) in 2015,
5 or if the filing requirement under section 19(9) was not applicable
6 because the qualified new personal property was acquired in 2015,
7 the person claiming the exemption under this section is not
8 required to file a statement under section 19 for that qualified
9 new personal property in 2016. Except for a person claiming an
10 exemption under this section for personal property that was subject
11 to section 9f or 1974 PA 198, MCL 207.551 to 207.572, in 2015, if
12 an affidavit claiming the exemption under this section is filed as
13 provided in subsection (3), beginning in 2017, the person claiming
14 the exemption under this section is not required to file a
15 statement under section 19 for qualified new personal property
16 exempt under this section. For a person claiming an exemption under
17 this section for personal property that was subject to section 9f
18 or 1974 PA 198, MCL 207.551 to 207.572, in 2015, if an affidavit
19 claiming the exemption under this section is filed as provided in
20 subsection (3) and the person claiming the exemption under this
21 section complied with section 19(9) in 2015, the person claiming
22 the exemption under this section is not required to file a
23 statement under section 19 for that qualified new personal property
24 in the first year for which that person is claiming an exemption
25 under this section or in any subsequent year. For a person claiming
26 an exemption under this section for personal property that was
27 subject to section 9f or 1974 PA 198, MCL 207.551 to 207.572, in

1 2015, if an affidavit claiming the exemption under this section is
2 filed as provided in subsection (3), but the person claiming the
3 exemption under this section did not comply with section 19(9) in
4 2015, the person claiming the exemption under this section shall
5 file a statement under section 19 for that person's qualified new
6 personal property in the first year for which that person is
7 claiming an exemption under this section for qualified new personal
8 property, but that person is not required to file a statement under
9 section 19 for that qualified new personal property in any
10 subsequent year. If the person claiming the exemption under this
11 section has not filed an affidavit as required under subsection
12 (2), the personal property for which the person is claiming an
13 exemption is subject to the collection of taxes under this act and
14 that person shall file a statement under section 19.

15 (5) If the assessor of the local tax collecting unit believes
16 that personal property for which an affidavit claiming an exemption
17 is filed under subsection (2) is not qualified new personal
18 property, the assessor may deny that claim for exemption by
19 notifying the person that filed the affidavit in writing of the
20 reason for the denial and advising the person that the denial may
21 be appealed to the board of review under section 30 or 53b. The
22 assessor may deny a claim for exemption under this subsection for
23 the current year only. If the assessor denies a claim for
24 exemption, the assessor shall remove the exemption of that personal
25 property and amend the tax roll to reflect the denial and the local
26 treasurer shall within 30 days of the date of the denial issue a
27 corrected tax bill for any additional taxes.

1 (6) A person claiming an exemption for qualified new personal
2 property exempt under this section shall maintain books and records
3 and shall provide access to those books and records as provided in
4 section 22.

5 (7) If a person fraudulently claims an exemption for personal
6 property under this section, that person is subject to the
7 penalties provided for in section 21(2).

8 (8) As used in this section:

9 (a) "Affiliated person" means a sole proprietorship,
10 partnership, limited liability company, corporation, association,
11 flow-through entity, member of a unitary business group, or other
12 entity related to a person claiming an exemption under this
13 section.

14 (b) "Direct integrated support" means any of the following:

15 (i) Research and development related to goods produced in
16 industrial processing and conducted in furtherance of that
17 industrial processing.

18 (ii) Testing and quality control functions related to goods
19 produced in industrial processing and conducted in furtherance of
20 that industrial processing.

21 (iii) Engineering related to goods produced in industrial
22 processing and conducted in furtherance of that industrial
23 processing.

24 (iv) Receiving or storing equipment, materials, supplies,
25 parts, or components for industrial processing, or scrap materials
26 or waste resulting from industrial processing, at the industrial
27 processing site or at another site owned or leased by the owner or

1 lessee of the industrial processing site.

2 (v) Storing of finished goods inventory if the inventory was
3 produced by a business engaged primarily in industrial processing
4 and if the inventory is stored either at the site where it was
5 produced or at another site owned or leased by the business that
6 produced the inventory.

7 (vi) Sorting, distributing, or sequencing functions that
8 optimize transportation and just-in-time inventory management and
9 material handling for inputs to industrial processing.

10 (c) "Eligible manufacturing personal property" means all
11 personal property located on occupied real property if that
12 personal property is predominantly used in industrial processing or
13 direct integrated support. Personal property located on occupied
14 real property is predominantly used in industrial processing or
15 direct integrated support if the result of the following
16 calculation is more than 50%:

17 (i) Multiply the original cost of all personal property located
18 on that occupied real property by its percentage of use in
19 industrial processing or in direct integrated support. Personal
20 property is used in industrial processing if it is not used to
21 generate, **TRANSMIT, OR DISTRIBUTE** electricity for sale, **IF IT IS**
22 **NOT UTILITY PERSONAL PROPERTY AS DESCRIBED IN SECTION 34C(3)(E),**
23 and if its purchase or use by the person claiming the exemption
24 would be eligible for exemption under section 4t of the general
25 sales tax act, 1933 PA 167, MCL 205.54t, or section 4o of the use
26 tax act, 1937 PA 94, MCL 205.94o. For an item of personal property
27 that is used in industrial processing, its percentage of use in

1 industrial processing shall equal the percentage of the exemption
2 the property would be eligible for under section 4t of the general
3 sales tax act, 1933 PA 167, MCL 205.54t, or section 4o of the use
4 tax act, 1937 PA 94, MCL 205.94o. **UTILITY PERSONAL PROPERTY AS**
5 **DESCRIBED IN SECTION 34C(3)(E) IS NOT USED IN DIRECT INTEGRATED**
6 **SUPPORT.**

7 (ii) Divide the result of the calculation under subparagraph (i)
8 by the total original cost of all personal property located on that
9 occupied real property.

10 (d) "Industrial processing" means that term as defined in
11 section 4t of the general sales tax act, 1933 PA 167, MCL 205.54t,
12 or section 4o of the use tax act, 1937 PA 94, MCL 205.94o.

13 Industrial processing does not include the generation,
14 **TRANSMISSION, OR DISTRIBUTION** of electricity for sale.

15 (e) "New personal property" means property that was initially
16 placed in service in this state or outside of this state after
17 December 31, 2012.

18 (f) "Occupied real property" means all of the following:

19 (i) A parcel of real property that is entirely owned, leased,
20 or otherwise occupied by a person claiming an exemption under this
21 section.

22 (ii) Contiguous parcels of real property that are entirely
23 owned, leased, or otherwise occupied by a person claiming an
24 exemption under this section and that host a single, integrated
25 business operation engaged primarily in industrial processing,
26 direct integrated support, or both. A business operation is not
27 engaged primarily in industrial processing, direct integrated

1 support, or both if it engages in significant business activities
2 that are not directly related to industrial processing or direct
3 integrated support.

4 (iii) The portion of a parcel of real property that is owned,
5 leased, or otherwise occupied by a person claiming the exemption or
6 by an affiliated person.

7 (G) "ORIGINAL COST" MEANS THE FAIR MARKET VALUE OF ELIGIBLE
8 MANUFACTURING PERSONAL PROPERTY AT THE TIME OF ACQUISITION BY THE
9 CURRENT OWNER. THERE IS A REBUTTABLE PRESUMPTION THAT THE
10 ACQUISITION PRICE PAID BY THE CURRENT OWNER FOR ELIGIBLE
11 MANUFACTURING PERSONAL PROPERTY REFLECTS THE FAIR MARKET VALUE OF
12 THAT ELIGIBLE MANUFACTURING PERSONAL PROPERTY. THE DEPARTMENT MAY
13 PROVIDE GUIDELINES FOR CIRCUMSTANCES IN WHICH THE ACTUAL
14 ACQUISITION COST OF ELIGIBLE MANUFACTURING PERSONAL PROPERTY IS NOT
15 DETERMINATIVE OF THE FAIR MARKET VALUE OF THAT ELIGIBLE
16 MANUFACTURING PERSONAL PROPERTY AND FOR THE BASIS OF DETERMINING
17 FAIR MARKET VALUE OF ELIGIBLE MANUFACTURING PERSONAL PROPERTY IN
18 THOSE CIRCUMSTANCES.

19 (H) ~~(g)~~—"Qualified new personal property" means property that
20 meets all of the following conditions:

21 (i) Is eligible manufacturing personal property.

22 (ii) Is new personal property.

23 Sec. 19. (1) A supervisor or other assessing officer, as soon
24 as possible after entering upon the duties of his or her office or
25 as required under the provisions of any charter that makes special
26 provisions for the assessment of property, shall ascertain the
27 taxable property in his or her assessing district, the person to

1 whom it should be assessed, and that person's residence.

2 (2) Except as otherwise provided in section 9m, 9n, or 9o, the
3 supervisor or other assessing officer shall require any person whom
4 he or she believes has personal property in their possession to
5 make a statement of all the personal property of that person
6 whether owned by that person or held for the use of another to be
7 completed and delivered to the supervisor or assessor on or before
8 February 20 of each year. A notice the supervisor or other
9 assessing officer provides regarding that statement shall also do
10 all of the following:

11 (a) Notify the person to whom such notice is given of the
12 exemptions available under sections 9m, 9n, and 9o.

13 (b) Explain where information about those exemptions, the
14 forms and requirements for claiming those exemptions, and the forms
15 for the statement otherwise required under this section are
16 available.

17 (c) Be sent or delivered by not later than January 10 of each
18 year.

19 (3) If a supervisor, an assessing officer, a county tax or
20 equalization department provided for in section 34, or the state
21 tax commission considers it necessary to require from any person a
22 statement of real property assessable to that person, it shall
23 notify the person, and that person shall submit the statement.

24 (4) A local tax collecting unit may provide for the electronic
25 filing of the statement required under subsection (2) or (3).

26 (5) A statement under subsection (2) or (3) shall be in a form
27 prescribed by the state tax commission. If a local tax collecting

1 unit has provided for electronic filing of the statement under
2 subsection (4), the filing format shall be prescribed by the state
3 tax commission. The state tax commission shall not prescribe more
4 than 1 format for electronically filing a statement under
5 subsection (2) or more than 1 format for electronically filing a
6 statement under subsection (3).

7 (6) A statement under subsection (2) or (3) shall be signed
8 manually, by facsimile, or electronically. A supervisor or assessor
9 shall not require that a statement required under subsection (2) or
10 (3) be filed before February 20 of each year.

11 (7) A supervisor or assessor shall not accept a statement
12 under subsection (2) or (3) as final or sufficient if that
13 statement is not in the proper form or does not contain a manual,
14 facsimile, or electronic signature. A supervisor or assessor shall
15 preserve a statement that is not in the proper form or is not
16 signed as in other cases, and that statement may be used to make
17 the assessment and as evidence in any proceeding regarding the
18 assessment of the person furnishing that statement.

19 (8) An electronic or facsimile signature shall be accepted by
20 a local tax collecting unit using a procedure prescribed by the
21 state tax commission.

22 (9) A statement under subsection (2) for 2015 shall include a
23 schedule of when any personal property included in the statement
24 will become eligible for exemption under section 9m or 9n. **FOR 2015**
25 **STATEMENTS UNDER SUBSECTION (2) THAT IDENTIFY PROPERTY ELIGIBLE FOR**
26 **EXEMPTION UNDER SECTION 9M OR 9N, A SUPERVISOR OR ASSESSOR SHALL**
27 **PROVIDE TO THE DEPARTMENT OF TREASURY BY JUNE 1, 2015 A COPY OF THE**

1 STATEMENT, OR THE INFORMATION ON THE STATEMENT, AS PRESCRIBED BY
2 THE DEPARTMENT OF TREASURY. THE DEPARTMENT OF TREASURY'S USE OF A
3 STATEMENT, OR INFORMATION ON A STATEMENT, PROVIDED UNDER THIS
4 SUBSECTION IS SUBJECT TO SECTION 28(1)(F) OF 1941 PA 122, MCL
5 205.28.

6 SEC. 27E. (1) NOT LATER THAN JUNE 5, 2014, THE ASSESSOR FOR
7 EACH CITY AND TOWNSHIP SHALL REPORT TO THE COUNTY EQUALIZATION
8 DIRECTOR ALL OF THE FOLLOWING:

9 (A) THE 2013 TAXABLE VALUE OF COMMERCIAL PERSONAL PROPERTY AND
10 INDUSTRIAL PERSONAL PROPERTY FOR EACH MUNICIPALITY IN THE CITY OR
11 TOWNSHIP.

12 (B) THE 2014 TAXABLE VALUE OF COMMERCIAL PERSONAL PROPERTY AND
13 INDUSTRIAL PERSONAL PROPERTY FOR EACH MUNICIPALITY IN THE CITY OR
14 TOWNSHIP.

15 (C) THE SMALL TAXPAYER EXEMPTION LOSS FOR EACH MUNICIPALITY IN
16 THE CITY OR TOWNSHIP.

17 (2) NOT LATER THAN JUNE 20, 2014, THE EQUALIZATION DIRECTOR
18 FOR EACH COUNTY SHALL REPORT TO THE DEPARTMENT THE INFORMATION
19 DESCRIBED IN SUBSECTION (1) FOR EACH MUNICIPALITY IN THE COUNTY.
20 FOR EACH MUNICIPALITY LEVYING A MILLAGE IN MORE THAN 1 COUNTY, THE
21 COUNTY EQUALIZATION DIRECTOR RESPONSIBLE FOR COMPILING THE
22 MUNICIPALITY'S TAXABLE VALUE UNDER SECTION 34D SHALL COMPILE THE
23 MUNICIPALITY'S INFORMATION DESCRIBED IN SUBSECTION (1).

24 (3) NOT LATER THAN AUGUST 15, 2014, EACH MUNICIPALITY SHALL
25 REPORT TO THE DEPARTMENT THE MILLAGE RATE LEVIED OR TO BE LEVIED
26 THAT YEAR FOR A MILLAGE DESCRIBED IN THE DEFINITION OF DEBT LOSS OR
27 SCHOOL DEBT LOSS. FOR 2014, THE RATE OF THAT MILLAGE SHALL BE

1 CALCULATED USING THE SUM OF THE MUNICIPALITY'S TAXABLE VALUE AND
2 THE MUNICIPALITY'S SMALL TAXPAYER EXEMPTION LOSS. FOR 2014, THE
3 DEPARTMENT SHALL CALCULATE EACH MUNICIPALITY'S DEBT LOSS OR SCHOOL
4 DEBT LOSS BY MULTIPLYING THE MUNICIPALITY'S MILLAGE RATE REPORTED
5 UNDER THIS SUBSECTION BY THE MUNICIPALITY'S SMALL TAXPAYER
6 EXEMPTION LOSS.

7 (4) THE ASSESSOR FOR EACH CITY AND TOWNSHIP SHALL TRANSMIT TO
8 THE DEPARTMENT AS PRESCRIBED BY THE DEPARTMENT INFORMATION FROM THE
9 AFFIDAVITS FILED UNDER SECTIONS 9M AND 9N.

10 (5) AS USED IN THIS SECTION, "COMMERCIAL PERSONAL PROPERTY",
11 "DEBT LOSS", "INDUSTRIAL PERSONAL PROPERTY", "MUNICIPALITY",
12 "SCHOOL DEBT LOSS", "SMALL TAXPAYER EXEMPTION LOSS", AND "TAXABLE
13 VALUE" MEAN THOSE TERMS AS DEFINED IN THE LOCAL COMMUNITY
14 STABILIZATION AUTHORITY ACT.

15 Enacting section 1. The exclusion of generation, transmission,
16 or distribution of electricity for sale from the definition of
17 "industrial processing" under this amendatory act is not intended
18 to affect any other provision of Michigan law or impact the
19 decision in Detroit Edison Company v Department of Treasury, court
20 of appeals docket no. 309732.