

HOUSE BILL No. 4464

March 14, 2013, Introduced by Reps. Haines, Kowall, Jacobsen, Price, Townsend, Crawford, McCready, MacMaster, Forlini, Cavanagh, Stallworth, Santana, Singh, Haugh, Hobbs, Lipton, Kesto and Goike and referred to the Committee on Tax Policy.

A bill to amend 2010 PA 250, entitled
"Private investment infrastructure act,"
by amending section 3 (MCL 125.1873).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. As used in this act:

2 (a) "Parcel" means an identifiable unit of land that is
3 treated as separate for valuation or zoning purposes.

4 (b) "Public facility" means a street, road, or highway, and
5 any improvements to a street, road, or highway, including street
6 furniture and beautification, park, parking facility, recreational
7 facility, right-of-way, structure, waterway, bridge, lake, pond,
8 canal, utility line or pipe, water or wastewater facilities, or

1 building, including access routes designed and dedicated to use by
2 the public generally, or used by a public agency. Public facility
3 also includes public-transportation-related infrastructure and
4 light and commuter rail line projects. A public facility does not
5 include a tunnel or bridge that includes an international border or
6 crossing.

7 (c) "Specific local tax" means a tax levied under 1974 PA 198,
8 MCL 207.551 to 207.572, the commercial redevelopment act, 1978 PA
9 255, MCL 207.651 to 207.668, the technology park development act,
10 1984 PA 385, MCL 207.701 to 207.718, or 1953 PA 189, MCL 211.181 to
11 211.182. The initial assessed value or current assessed value of
12 property subject to a specific local tax shall be the quotient of
13 the specific local tax paid divided by the ad valorem millage rate.
14 The state tax commission shall prescribe the method for calculating
15 the initial assessed value and current assessed value of property
16 for which a specific local tax was paid in lieu of a property tax.

17 (d) "State fiscal year" means the annual period commencing
18 October 1 of each year.

19 (e) "Tax increment revenues" means the amount of ad valorem
20 property taxes and specific local taxes attributable to the
21 application of the levy of all taxing jurisdictions upon the
22 captured assessed value of real and personal property in the
23 negotiated benefit area. Tax increment revenues do not include any
24 of the following:

25 (i) Taxes under the state education tax act, 1993 PA 331, MCL
26 211.901 to 211.906, except that portion of the taxes under the
27 state education tax act, 1993 PA 331, MCL 211.901 to 211.906, not

1 to exceed 50% of those taxes as determined by the state treasurer
2 for a period not to exceed 15 years, as determined by the state
3 treasurer, if the state treasurer determines that the capture under
4 this subparagraph is necessary to reduce unemployment, promote
5 economic growth, and increase capital investment in the
6 municipality.

7 (ii) Taxes levied by local or intermediate school districts,
8 except that portion of taxes levied by local or intermediate school
9 districts not to exceed 50% of those taxes as determined by the
10 state treasurer for a period not to exceed 15 years, as determined
11 by the state treasurer, if the state treasurer determines that the
12 capture under this subparagraph is necessary to reduce
13 unemployment, promote economic growth, and increase capital
14 investment in the municipality.

15 (iii) Ad valorem property taxes attributable either to a portion
16 of the captured assessed value shared with taxing jurisdictions
17 within the jurisdictional area of the administering agency or to a
18 portion of value of property that may be excluded from captured
19 assessed value or specific local taxes attributable to the ad
20 valorem property taxes.

21 (iv) Ad valorem property taxes excluded by the tax increment
22 financing plan of the administering agency from the determination
23 of the amount of tax increment revenues to be transmitted to the
24 administering agency or specific local taxes attributable to the ad
25 valorem property taxes.

26 (v) Ad valorem property taxes exempted from capture under
27 section 10(5) or specific local taxes attributable to the ad

1 valorem property taxes.

2 (vi) Ad valorem property taxes specifically levied for the
3 payment of principal and interest of obligations approved by the
4 electors or obligations pledging the unlimited taxing power of the
5 local governmental unit or specific taxes attributable to those ad
6 valorem property taxes.

7 (vii) AD VALOREM PROPERTY TAXES LEVIED UNDER 1 OR MORE OF THE
8 FOLLOWING OR SPECIFIC LOCAL TAXES ATTRIBUTABLE TO THOSE AD VALOREM
9 PROPERTY TAXES:

10 (A) THE ZOOLOGICAL AUTHORITIES ACT, 2008 PA 49, MCL 123.1161
11 TO 123.1183.

12 (B) THE ART INSTITUTE AUTHORITIES ACT, 2010 PA 296, MCL
13 123.1201 TO 123.1229.