

SENATE BILL No. 1039

September 10, 2014, Introduced by Senator CASWELL and referred to the Committee on Finance.

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending sections 21, 22, 32, 35a, 36, 49, and 62 (MCL 205.721, 205.722, 205.732, 205.735a, 205.736, 205.749, and 205.762), section 22 as amended by 2008 PA 127, sections 32 and 35a as amended by 2008 PA 125, section 49 as amended by 2008 PA 126, and section 62 as amended by 2008 PA 128.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 21. (1) The tax tribunal is created and is a quasi-
2 judicial agency which, for administrative purposes only, is in the
3 department of treasury. **LICENSING AND REGULATORY AFFAIRS.**

4 (2) The tribunal consists of 7 members appointed by the
5 governor, with the advice and consent of the senate, for terms of 4
6 years. ~~The 2 additional members first appointed by this amendatory~~

1 ~~act shall first serve for 3 years.~~

2 (3) A MEMBER APPOINTED BY A GOVERNOR IS SUBJECT TO REMOVAL
3 DURING HIS OR HER TERM BY THAT SAME GOVERNOR FOR CAUSE AFTER NOTICE
4 AND HEARING.

5 (4) A MEMBER APPOINTED BY A GOVERNOR NOT CURRENTLY IN OFFICE
6 IS SUBJECT TO REMOVAL DURING HIS OR HER TERM AS PROVIDED IN SECTION
7 10 OF ARTICLE V OF THE STATE CONSTITUTION OF 1963.

8 (5) A member may be reappointed and a vacancy shall be filled
9 for an unexpired term in the same manner as the appointment is made
10 for a full term.

11 (6) MEMBERS SHALL UNDERGO ANNUAL TRAINING ON PROPER COURTROOM
12 PROCEDURE.

13 Sec. 22. (1) The members of the tribunal shall be citizens of
14 the United States and residents of this state. ~~At least 2~~ ALL
15 members shall be attorneys admitted to practice in this state who
16 have been engaged for at least 5 years immediately preceding the
17 appointment in active government, corporate, or private practice
18 dealing with federal and state or local tax matters, including
19 property taxes, or in the discharge of a judicial or quasi-judicial
20 office. ~~At least 1 member shall be a certified assessor holding the~~
21 ~~highest level of certification granted by the state assessors~~
22 ~~board. At least 1 member shall be a professional real estate~~
23 ~~appraiser holding a recognized certification indicating competence~~
24 ~~in the valuation of complex income producing and residential~~
25 ~~property of the type subject to property taxation, with a~~
26 ~~certification having required a review of sample appraisals and 5~~
27 ~~years of experience as an appraiser. At least 1 member shall be a~~

1 ~~certified public accountant with 5 years of experience in state or~~
2 ~~local tax matters. Appointees who are not attorneys, certified~~
3 ~~assessors, professional real estate appraisers, or certified public~~
4 ~~accountants shall have at least 5 years of experience in state or~~
5 ~~local tax matters.~~

6 (2) Each member shall take and subscribe to the constitutional
7 oath of office before entering on the discharge of his or her
8 duties.

9 (3) Each member shall devote his or her entire time to, and
10 personally perform the duties of, his or her office and shall not
11 engage in other business or professional activity for remuneration.

12 (4) Each member shall receive an annual salary as determined
13 by law and shall be reimbursed for his or her actual and necessary
14 expenses at the rate determined by the administrative board.

15 Sec. 32. The tribunal's powers include, but are not limited
16 to, all of the following:

17 (a) Affirming, reversing, modifying, or remanding a final
18 decision, finding, ruling, determination, or order of an agency.

19 (b) Ordering the payment or refund of taxes in a matter over
20 which it may acquire jurisdiction.

21 (c) Granting other relief or issuing writs, orders, or
22 directives that it deems necessary or appropriate in the process of
23 disposition of a matter over which it may acquire jurisdiction.

24 (d) Promulgating rules for the implementation of this act,
25 including rules for practice and procedure before the tribunal and
26 for mediation as provided in section 47, under the administrative
27 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

1 (e) Mediating a proceeding before the tribunal.

2 (f) Certifying mediators to facilitate claims in the court of
3 claims and in the tribunal.

4 **(G) CONTRACTING WITH ASSESSORS IF NO MEMBERS OF THE TRIBUNAL**
5 **ARE ASSESSORS.**

6 Sec. 35a. (1) The provisions of this section apply to a
7 proceeding before the tribunal that is commenced after December 31,
8 2006.

9 (2) A proceeding before the tribunal is original and
10 independent and is considered de novo.

11 (3) Except as otherwise provided in this section or by law,
12 for an assessment dispute as to the valuation or exemption of
13 property, the assessment must be protested before the board of
14 review before the tribunal acquires jurisdiction of the dispute
15 under subsection ~~(6)~~-(10). **FOR A DISPUTE AS TO THE CLASSIFICATION**
16 **OF PROPERTY UNDER SECTION 34C OF THE GENERAL PROPERTY TAX ACT, 1893**
17 **PA 206, MCL 211.34C, THE CLASSIFICATION MUST BE PROTESTED BEFORE**
18 **THE BOARD OF REVIEW AND THE STATE TAX COMMISSION AS PROVIDED IN**
19 **SECTION 34C OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL**
20 **211.34C, BEFORE THE TRIBUNAL ACQUIRES JURISDICTION OF THE DISPUTE**
21 **UNDER SUBSECTION (11).**

22 (4) In the 2007 tax year and each tax year after 2007, all of
23 the following apply:

24 (a) For an assessment dispute as to the valuation or exemption
25 of property classified under section 34c of the general property
26 tax act, 1893 PA 206, MCL 211.34c, as commercial real property,
27 industrial real property, or developmental real property, the

1 assessment may be protested before the board of review or appealed
2 directly to the tribunal without protest before the board of review
3 as provided in subsection ~~(6)~~(10).

4 (b) For an assessment dispute as to the valuation or exemption
5 of property classified under section 34c of the general property
6 tax act, 1893 PA 206, MCL 211.34c, as commercial personal property,
7 industrial personal property, or utility personal property, the
8 assessment may be protested before the board of review or appealed
9 directly to the tribunal without protest before the board of review
10 as provided in subsection ~~(6)~~(10), if a statement of assessable
11 property is filed under section 19 of the general property tax act,
12 1893 PA 206, MCL 211.19, prior to the commencement of the board of
13 review for the tax year involved.

14 (c) For an assessment dispute as to the valuation of property
15 that is subject to taxation under 1974 PA 198, MCL 207.551 to
16 207.572, the commercial redevelopment act, 1978 PA 255, MCL 207.651
17 to 207.668, the enterprise zone act, 1985 PA 224, MCL 125.2101 to
18 125.2123, the technology park development act, 1984 PA 385, MCL
19 207.701 to 207.718, the obsolete property rehabilitation act, 2000
20 PA 146, MCL 125.2781 to 125.2797, the commercial rehabilitation
21 act, 2005 PA 210, MCL 207.841 to 207.856, or 1953 PA 189, MCL
22 211.181 to 211.182, the assessment may be protested before the
23 board of review or appealed directly to the tribunal without
24 protest before the board of review as provided in subsection ~~(6)~~
25 (10). This subdivision does not apply to property that is subject
26 to the neighborhood enterprise zone act, 1992 PA 147, MCL 207.771
27 to 207.786.

1 (5) ~~For a~~ **A** dispute regarding a determination of a claim of
2 exemption of a principal residence or qualified agricultural
3 property ~~for a year in which the July or December board of review~~
4 ~~has authority to determine a claim of exemption for a principal~~
5 ~~residence or qualified agricultural property, the claim of~~
6 ~~exemption shall be presented to either the July or December board~~
7 ~~of review before the tribunal acquires jurisdiction of the dispute.~~
8 **SHALL BE APPEALED DIRECTLY TO THE TRIBUNAL WITHOUT PROTEST BEFORE**
9 **THE BOARD OF REVIEW.** For a special assessment dispute, the special
10 assessment shall be protested at the hearing held for the purpose
11 of confirming the special assessment roll before the tribunal
12 acquires jurisdiction of the dispute.

13 (6) **FOR A DISPUTE REGARDING A DETERMINATION OF A CLAIM OF**
14 **EXEMPTION OF A PRINCIPAL RESIDENCE BY REASON OF POVERTY UNDER**
15 **SECTION 7U OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL**
16 **211.7U, THE CLAIM OF EXEMPTION SHALL BE PRESENTED TO THE MARCH,**
17 **JULY, OR DECEMBER BOARD OF REVIEW BEFORE THE TRIBUNAL ACQUIRES**
18 **JURISDICTION OF THE DISPUTE.**

19 (7) **FOR A DISPUTE REGARDING A DETERMINATION OF A CLAIM OF**
20 **EXEMPTION OF THE HOMESTEAD OF A DISABLED VETERAN OR THE UNREMARIED**
21 **SURVIVING SPOUSE OF A DISABLED VETERAN UNDER SECTION 7B OF THE**
22 **GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.7B, THE CLAIM OF**
23 **EXEMPTION SHALL BE PRESENTED TO THE MARCH, JULY, OR DECEMBER BOARD**
24 **OF REVIEW BEFORE THE TRIBUNAL ACQUIRES JURISDICTION OF THE DISPUTE.**

25 (8) **FOR A DISPUTE REGARDING A DETERMINATION OF A CLAIM OF A**
26 **QUALIFIED ERROR UNDER SECTION 53E OF THE GENERAL PROPERTY TAX ACT,**
27 **1893 PA 206, MCL 211.53E, THE CLAIM OF EXEMPTION SHALL BE PRESENTED**

1 TO THE STATE TAX COMMISSION BEFORE THE TRIBUNAL ACQUIRES
2 JURISDICTION OF THE DISPUTE.

3 (9) FOR A DISPUTE REGARDING A DETERMINATION OF A CLAIM OF
4 EXEMPTION OF QUALIFIED AGRICULTURAL PROPERTY UNDER SECTION 7EE OF
5 THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.7EE, THE CLAIM
6 OF EXEMPTION SHALL BE APPEALED DIRECTLY TO THE TRIBUNAL WITHOUT
7 PROTEST BEFORE THE BOARD OF REVIEW.

8 (10) ~~(6)~~—The jurisdiction of the tribunal in an assessment
9 dispute as to property classified under section 34c of the general
10 property tax act, 1893 PA 206, MCL 211.34c, as commercial real
11 property, industrial real property, developmental real property,
12 commercial personal property, industrial personal property, or
13 utility personal property is invoked by a party in interest, as
14 petitioner, filing a written petition on or before ~~May~~ **JULY** 31 of
15 the tax year involved. The jurisdiction of the tribunal in an
16 assessment dispute as to property classified under section 34c of
17 the general property tax act, 1893 PA 206, MCL 211.34c, as
18 agricultural real property, residential real property, timber-
19 cutover real property, or agricultural personal property is invoked
20 by a party in interest, as petitioner, filing a written petition on
21 or before July 31 of the tax year involved. **THE JURISDICTION OF THE**
22 **TRIBUNAL IN AN ASSESSMENT DISPUTE AS TO PROPERTY SUBJECT TO AN**
23 **ORDER ISSUED BY THE STATE TAX COMMISSION UNDER SECTION 154(1) OF**
24 **THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.154, IS INVOKED**
25 **BY A PARTY IN INTEREST, AS PETITIONER, FILING A WRITTEN PETITION**
26 **WITHIN 60 DAYS AFTER THAT ORDER IS ISSUED.** In all other matters,
27 **EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,** the jurisdiction of

1 the tribunal is invoked by a party in interest, as petitioner,
2 filing a written petition within 35 days after the final decision,
3 ruling, or determination. THE JURISDICTION OF THE TRIBUNAL IN A
4 DISPUTE REGARDING A DETERMINATION OF A CLAIM OF EXEMPTION OF A
5 PRINCIPAL RESIDENCE BY REASON OF POVERTY UNDER SECTION 7U OF THE
6 GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.7U, IS INVOKED BY
7 THE PERSON CLAIMING THE EXEMPTION, AS PETITIONER, FILING A WRITTEN
8 PETITION BY JULY 31 IF THE CLAIM OF EXEMPTION WAS DENIED BY THE
9 MARCH BOARD OF REVIEW OR WITHIN 60 DAYS AFTER THE JULY OR DECEMBER
10 BOARD OF REVIEW DENIED THE CLAIM FOR EXEMPTION. THE JURISDICTION OF
11 THE TRIBUNAL IN A DISPUTE REGARDING A DETERMINATION OF A CLAIM OF
12 EXEMPTION OF A PRINCIPAL RESIDENCE OF THE HOMESTEAD OF A DISABLED
13 VETERAN OR THE UNREMARIED SURVIVING SPOUSE OF A DISABLED VETERAN
14 UNDER SECTION 7B OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL
15 211.7B, IS INVOKED BY THE PERSON CLAIMING THE EXEMPTION, AS
16 PETITIONER, FILING A WRITTEN PETITION BY JULY 31 IF THE CLAIM OF
17 EXEMPTION WAS DENIED BY THE MARCH BOARD OF REVIEW OR WITHIN 60 DAYS
18 AFTER THE JULY OR DECEMBER BOARD OF REVIEW DENIED THE CLAIM FOR
19 EXEMPTION. THE JURISDICTION OF THE TRIBUNAL IN A DISPUTE REGARDING
20 A DETERMINATION OF A CLAIM OF A QUALIFIED ERROR UNDER SECTION 53E
21 OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.53E, IS
22 INVOKED BY THE TAXPAYER OR ASSESSING OFFICER FILING A WRITTEN
23 PETITION WITHIN 60 DAYS AFTER THE DECISION OF THE STATE TAX
24 COMMISSION. THE JURISDICTION OF THE TRIBUNAL IN A DISPUTE REGARDING
25 A DETERMINATION OF A CLAIM OF EXEMPTION OF QUALIFIED AGRICULTURAL
26 PROPERTY UNDER SECTION 7EE OF THE GENERAL PROPERTY TAX ACT, 1893 PA
27 206, MCL 211.7EE, IS INVOKED BY THE PERSON CLAIMING THE EXEMPTION,

1 AS PETITIONER, FILING A WRITTEN PETITION WITHIN 60 DAYS OF THE
2 DENIAL OR MODIFICATION OF THE EXEMPTION. An appeal of a contested
3 tax bill shall be made within 60 days after mailing by the
4 assessment district treasurer and the appeal is limited solely to
5 correcting arithmetic errors or mistakes and is not a basis of
6 appeal as to disputes of valuation of the property, the property's
7 exempt status, or the property's equalized value resulting from
8 equalization of its assessment by the county board of commissioners
9 or the state tax commission. Service of the petition on the
10 respondent shall be by certified mail. For an assessment dispute,
11 service of the petition shall be mailed to the assessor of that
12 local tax collecting unit if the respondent is the local tax
13 collecting unit. Except for petitions filed under chapter 6, a copy
14 of the petition shall also be sent to the secretary of the school
15 board in the local school district in which the property is located
16 and to the clerk of any county that may be affected.

17 (11) THE JURISDICTION OF THE TRIBUNAL IN A DISPUTE AS TO THE
18 CLASSIFICATION OF PROPERTY UNDER SECTION 34C OF THE GENERAL
19 PROPERTY TAX ACT, 1893 PA 206, MCL 211.34C, IS INVOKED BY AN OWNER
20 OR AN ASSESSOR, AS PETITIONER, FILING A WRITTEN PETITION WITHIN THE
21 TIME FRAME PRESCRIBED IN SECTION 34C OF THE GENERAL PROPERTY TAX
22 ACT, 1893 PA 206, MCL 211.34C. AN APPEAL AS TO THE CLASSIFICATION
23 OF PROPERTY UNDER SECTION 34C OF THE GENERAL PROPERTY TAX ACT, 1893
24 PA 206, MCL 211.34C, MAY INCLUDE THE YEAR IN WHICH THE PETITION IS
25 FILED AND THE 3 IMMEDIATELY PRECEDING YEARS. SERVICE OF THE
26 PETITION ON THE RESPONDENT SHALL BE BY CERTIFIED MAIL. SERVICE OF
27 THE PETITION SHALL BE MAILED TO THE ASSESSOR OF THAT LOCAL TAX

1 COLLECTING UNIT IF THE RESPONDENT IS THE LOCAL TAX COLLECTING UNIT.
2 A COPY OF THE PETITION SHALL ALSO BE SENT TO THE SECRETARY OF THE
3 SCHOOL BOARD IN THE LOCAL SCHOOL DISTRICT IN WHICH THE PROPERTY IS
4 LOCATED, TO THE CLERK OF ANY COUNTY THAT MAY BE AFFECTED, AND TO
5 THE STATE TREASURER.

6 (12) ~~(7)~~—A petition is considered filed on or before the
7 expiration of the time period provided in this section or by law if
8 1 or more of the following occur:

9 (a) The petition is postmarked by the United States postal
10 service on or before the expiration of that time period.

11 (b) The petition is delivered in person on or before the
12 expiration of that time period.

13 (c) The petition is given to a designated delivery service for
14 delivery on or before the expiration of that time period and the
15 petition is delivered by that designated delivery service or, if
16 the petition is not delivered by that designated delivery service,
17 the petitioner establishes that the petition was given to that
18 designated delivery service for delivery on or before the
19 expiration of that time period.

20 (13) ~~(8)~~—A petition required to be filed by a day during which
21 the offices of the tribunal are not open for business shall be
22 filed by the next business day.

23 (14) ~~(9)~~—A petition or answer may be amended at any time by
24 leave of the tribunal and in compliance with its rules. If a tax
25 was paid while the determination of the right to the tax is pending
26 before the tribunal, the taxpayer may amend his or her petition to
27 seek a refund of that tax.

1 (15) ~~(10)~~ A person or legal entity may appear before the
 2 tribunal in his or her own behalf or may be represented by an
 3 attorney or by any other person.

4 (16) ~~(11)~~ As used in this section, "designated delivery
 5 service" means a delivery service provided by a trade or business
 6 that is designated by the tribunal for purposes of this subsection.
 7 The tribunal shall issue a tribunal notice not later than December
 8 31 in each calendar year designating not less than 1 delivery
 9 service for the immediately succeeding calendar year. The tribunal
 10 may designate a delivery service only if the tribunal determines
 11 that the delivery service meets all of the following requirements:

12 (a) Is available to the general public.

13 (b) Is at least as timely and reliable on a regular basis as
 14 the United States postal service.

15 (c) Records electronically to a database kept in the regular
 16 course of business or marks on the petition the date on which the
 17 petition was given to the delivery service for delivery.

18 (d) Any other requirement the tribunal prescribes.

19 Sec. 36. (1) ~~Tribunal,~~ **THE TRIBUNAL**, upon written request of a
 20 party to a proceeding, ~~shall~~ **MAY** issue subpoenas ~~forthwith~~
 21 requiring the attendance and testimony of witnesses and the
 22 production of evidence, including, but not limited to, books,
 23 records, correspondence, and documents in their possession or under
 24 their control. On written request, the tribunal shall revoke a
 25 subpoena if the **TESTIMONY TO BE PROVIDED AND THE** evidence, ~~the~~
 26 ~~production of which is required,~~ **TO BE PRODUCED DO** not relate
 27 to a matter in issue, ~~or if the subpoena does not describe with~~

1 ~~sufficient particularity the evidence, the production of which is~~
 2 ~~required, or if for any other reason sufficient in law. the~~
 3 ~~subpoena is invalid.~~ In case of refusal to comply with a subpoena,
 4 the party on whose behalf it was issued may file a petition, in the
 5 circuit court for Ingham county or for the county in which the
 6 proceeding is held, for an order requiring compliance.

7 (2) When directed by the chairman, a state or local
 8 governmental unit or agency shall make available books, records,
 9 documents, information, and assistance to the tribunal.

10 Sec. 49. (1) The tribunal by rule shall prescribe filing fees
 11 and other fees to be paid in connection with a proceeding before
 12 the tribunal. The fees shall be paid to the clerk of the tribunal
 13 and by order of the tribunal may be taxed as costs.

14 (2) The residential property and small claims division of the
 15 tribunal shall not charge fees or costs ~~on appeals~~ **FOR ANY OF THE**
 16 **FOLLOWING:**

17 **(A) APPEALS RELATING TO THE VALUATION** of principal residence
 18 property as defined in rules promulgated by the tax tribunal.

19 **(B) APPEAL RELATING TO A CLAIM FOR EXEMPTION BY REASON OF**
 20 **POVERTY UNDER SECTION 7U OF THE GENERAL PROPERTY TAX ACT, 1893 PA**
 21 **206, MCL 211.7U.**

22 (3) The Michigan tax tribunal fund is created in the
 23 department of ~~labor and economic growth~~ **LICENSING AND REGULATORY**
 24 **AFFAIRS** as a separate interest bearing fund. All fees collected
 25 pursuant to this act shall be deposited in the Michigan tax
 26 tribunal fund. The state treasurer shall direct the investment of
 27 the Michigan tax tribunal fund. Money in the Michigan tax tribunal

1 fund shall remain in the Michigan tax tribunal fund at the close of
2 the fiscal year and shall not revert to the general fund. Money in
3 the Michigan tax tribunal fund shall be used solely for operation
4 of the tribunal.

5 Sec. 62. (1) The residential property and small claims
6 division created in section 61 has jurisdiction over a proceeding,
7 otherwise cognizable by the tribunal, in which residential property
8 is exclusively involved. Property other than residential property
9 may be included in a proceeding before the residential property and
10 small claims division if the amount of that property's taxable
11 value or state equalized valuation in dispute is not more than
12 ~~\$100,000.00~~ **\$150,000.00, ADJUSTED ANNUALLY BY THE INFLATION RATE.**

13 The residential property and small claims division also has
14 jurisdiction over a proceeding involving an appeal of any other tax
15 over which the tribunal has jurisdiction if the amount of the tax
16 in dispute is ~~\$20,000.00~~ **\$75,000.00** or less, adjusted annually by
17 the inflation rate. As used in this subsection, "inflation rate"
18 means the ratio of the general price level for the state fiscal
19 year ending in the calendar year immediately preceding the current
20 year divided by the general price level for the state fiscal year
21 ending in the calendar year before the year immediately preceding
22 the current year.

23 (2) A person or legal entity entitled to proceed under section
24 31, and whose proceeding meets the jurisdictional requirements of
25 subsection (1), may elect to proceed before either the residential
26 property and small claims division or the entire tribunal. A formal
27 record of residential property and small claims division

1 proceedings is not required. Within 20 days after a hearing officer
2 or referee issues a proposed order, a party may file exceptions to
3 the proposed order. The tribunal shall review the exceptions to
4 determine if the proposed order shall be adopted as a final order.
5 Upon a showing of good cause or at the tribunal's discretion, the
6 tribunal may modify the proposed order and issue a final order or
7 hold a rehearing by a tribunal member. A rehearing is not limited
8 to the evidence presented before the hearing officer or referee.

9 (3) Except as otherwise provided in this subsection, the
10 residential property and small claims division shall meet in the
11 county in which the property in question is located or in a county
12 contiguous to the county in which the property in question is
13 located. A petitioner-appellant shall not be required to travel
14 more than 100 miles from the location of the property in question
15 to the hearing site, except that a rehearing by a tribunal member
16 shall be at a site determined by the tribunal. By leave of the
17 tribunal and with the mutual consent of all parties, a residential
18 property and small claims division proceeding may take place at a
19 location mutually agreed upon by all parties or may take place by
20 the use of amplified telephonic or video conferencing equipment.

21 (4) The tribunal shall make a short form for the simplified
22 filing of residential property and small claims appeals.

23 (5) In a proceeding before the residential property and small
24 claims division for property other than residential property, if
25 the amount of taxable value or state equalized valuation in dispute
26 is greater than \$20,000.00, or in nonproperty matters if the amount
27 in dispute is greater than \$1,000.00, the filing fee is the amount

1 that would have been paid if the proceeding was brought before the
2 entire tribunal and not the residential property and small claims
3 division.

4 (6) As used in this chapter, "residential property" means any
5 of the following:

6 (a) Real property exempt under section 7cc of the general
7 property tax act, 1893 PA 206, MCL 211.7cc.

8 (b) Real property classified as residential real property
9 under section 34c of the general property tax act, 1893 PA 206, MCL
10 211.34c.

11 (c) Real property with less than 4 rental units.

12 (d) Real property classified as agricultural real property
13 under section 34c of the general property tax act, 1893 PA 206, MCL
14 211.34c.

15 **(E) REAL PROPERTY EXEMPT UNDER SECTION 7EE OF THE GENERAL**
16 **PROPERTY TAX ACT, 1893 PA 206, MCL 211.7EE.**

17 Enacting section 1. This amendatory act does not take effect
18 unless Senate Bill No.1038

19 of the 97th Legislature is enacted into law.