

**HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 621**

A bill to amend 2005 PA 280, entitled  
"Corridor improvement authority act,"  
by amending sections 3 and 18 (MCL 125.2873 and 125.2888), section  
3 as amended by 2013 PA 68 and section 18 as amended by 2008 PA 44.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 3. As used in this act:

2           (a) "Operations" means office maintenance, including salaries  
3 and expenses of employees, office supplies, consultation fees,  
4 design costs, and other expenses incurred in the daily management  
5 of the authority and planning of its activities.

6           (b) "Parcel" means an identifiable unit of land that is  
7 treated as separate for valuation or zoning purposes.

8           (c) "Public facility" means a street, plaza, pedestrian mall,  
9 and any improvements to a street, plaza, or pedestrian mall  
10 including street furniture and beautification, sidewalk, trail,

1 lighting, traffic flow modification, park, parking facility,  
2 recreational facility, right-of-way, structure, waterway, bridge,  
3 lake, pond, canal, utility line or pipe, transit-oriented  
4 development, transit-oriented facility, or building, including  
5 access routes, that are either designed and dedicated to use by the  
6 public generally or used by a public agency, or that are located in  
7 a qualified development area and are for the benefit of or for the  
8 protection of the health, welfare, or safety of the public  
9 generally, whether or not used by 1 or more business entities,  
10 provided that any road, street, or bridge shall be continuously  
11 open to public access and that other property shall be located in  
12 public easements or rights-of-way and designed to accommodate  
13 foreseeable development of public facilities in adjoining areas.  
14 Public facility includes an improvement to a facility used by the  
15 public or a public facility as those terms are defined in section 1  
16 of 1966 PA 1, MCL 125.1351, if the improvement complies with the  
17 barrier-free design requirements of the state construction code  
18 promulgated under the Stille-DeRossett-Hale single state  
19 construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.

20 (d) "Qualified development area" means a development area that  
21 meets 1 of the following:

22 (i) All of the following:

23 (A) Is located within a city with a population of 700,000 or  
24 more.

25 (B) Contains at least 30 contiguous acres.

26 (C) Was owned by this state on December 31, 2003 and was  
27 conveyed to a private owner before June 30, 2004.

1 (D) Is zoned to allow for mixed use that includes commercial  
2 use and that may include residential use.

3 (E) Otherwise complies with the requirements of section 5(a),  
4 (d), (e), and (g).

5 (F) Construction within the qualified development area begins  
6 on or before the date 2 years after the effective date of the  
7 amendatory act that added this subdivision.

8 (G) Is located in a distressed area.

9 (ii) Contains transit-oriented development or a transit-  
10 oriented facility.

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

21 (f) "State fiscal year" means the annual period commencing  
22 October 1 of each year.

23 (g) "Tax increment revenues" means the amount of ad valorem  
24 property taxes and specific local taxes attributable to the  
25 application of the levy of all taxing jurisdictions upon the  
26 captured assessed value of real and personal property in the  
27 development area. Except as otherwise provided in section 29, tax

1 increment revenues do not include any of the following:

2 (i) Taxes under the state education tax act, 1993 PA 331, MCL  
3 211.901 to 211.906.

4 (ii) Taxes levied by local or intermediate school districts.

5 (iii) Ad valorem property taxes attributable either to a  
6 portion of the captured assessed value shared with taxing  
7 jurisdictions within the jurisdictional area of the authority or to  
8 a portion of value of property that may be excluded from captured  
9 assessed value or specific local taxes attributable to the ad  
10 valorem property taxes.

11 (iv) Ad valorem property taxes excluded by the tax increment  
12 financing plan of the authority from the determination of the  
13 amount of tax increment revenues to be transmitted to the authority  
14 or specific local taxes attributable to the ad valorem property  
15 taxes.

16 (v) Ad valorem property taxes exempted from capture under  
17 section 18(5) or specific local taxes attributable to the ad  
18 valorem property taxes.

19 (vi) Ad valorem property taxes specifically levied for the  
20 payment of principal and interest of obligations approved by the  
21 electors or obligations pledging the unlimited taxing power of the  
22 local governmental unit or specific taxes attributable to those ad  
23 valorem property taxes.

24 (vii) Ad valorem property taxes levied under 1 or more of the  
25 following or specific local taxes attributable to those ad valorem  
26 property taxes:

27 (A) The zoological authorities act, 2008 PA 49, MCL 123.1161

1 to 123.1183.

2 (B) The art institute authorities act, 2010 PA 296, MCL  
3 123.1201 to 123.1229.

4 (C) EXCEPT AS OTHERWISE PROVIDED IN SECTION 18(5), AD VALOREM  
5 PROPERTY TAXES OR SPECIFIC LOCAL TAXES ATTRIBUTABLE TO THOSE AD  
6 VALOREM PROPERTY TAXES LEVIED FOR A SEPARATE MILLAGE FOR PUBLIC  
7 LIBRARY PURPOSES APPROVED BY THE ELECTORS AFTER DECEMBER 31, 2016.

8 (h) "Transit-oriented development" means infrastructural  
9 improvements that are located within 1/2 mile of a transit station  
10 or transit-oriented facility that promotes transit ridership or  
11 passenger rail use as determined by the board and approved by the  
12 municipality in which it is located.

13 (i) "Transit-oriented facility" means a facility that houses a  
14 transit station in a manner that promotes transit ridership or  
15 passenger rail use.

16 (j) "Distressed area" means a local governmental unit that  
17 meets all of the following:

18 (i) Has a population of 700,000 or more.

19 (ii) Shows a negative population change from 1970 to the date  
20 of the most recent federal decennial census.

21 (iii) Shows an overall increase in the state equalized value  
22 of real and personal property of less than the statewide average  
23 increase since 1972.

24 (iv) Has a poverty rate, as defined by the most recent federal  
25 decennial census, greater than the statewide average.

26 (v) Has had an unemployment rate higher than the statewide  
27 average.

1           Sec. 18. (1) If the authority determines that it is necessary  
2 for the achievement of the purposes of this act, the authority  
3 shall prepare and submit a tax increment financing plan to the  
4 governing body of the municipality. The plan shall include a  
5 development plan as provided in section 21, a detailed explanation  
6 of the tax increment procedure, the maximum amount of bonded  
7 indebtedness to be incurred, and the duration of the program, and  
8 shall be in compliance with section 19. The plan shall contain a  
9 statement of the estimated impact of tax increment financing on the  
10 assessed values of all taxing jurisdictions in which the  
11 development area is located. The plan may provide for the use of  
12 part or all of the captured assessed value, but the portion  
13 intended to be used by the authority shall be clearly stated in the  
14 tax increment financing plan. The authority or municipality may  
15 exclude from captured assessed value growth in property value  
16 resulting solely from inflation. The plan shall set forth the  
17 method for excluding growth in property value resulting solely from  
18 inflation.

19           (2) Approval of the tax increment financing plan shall comply  
20 with the notice, hearing, and disclosure provisions of section 22.  
21 If the development plan is part of the tax increment financing  
22 plan, only 1 hearing and approval procedure is required for the 2  
23 plans together.

24           (3) Before the public hearing on the tax increment financing  
25 plan, the governing body shall provide a reasonable opportunity to  
26 the taxing jurisdictions levying taxes subject to capture to meet  
27 with the governing body. The authority shall fully inform the

1 taxing jurisdictions of the fiscal and economic implications of the  
2 proposed development area. The taxing jurisdictions may present  
3 their recommendations at the public hearing on the tax increment  
4 financing plan. The authority may enter into agreements with the  
5 taxing jurisdictions and the governing body of the municipality in  
6 which the development area is located to share a portion of the  
7 captured assessed value of the development area.

8 (4) A tax increment financing plan may be modified if the  
9 modification is approved by the governing body upon notice and  
10 after public hearings and agreements as are required for approval  
11 of the original plan.

12 (5) Except for a development area located in a qualified  
13 development area, not more than 60 days after the public hearing on  
14 the tax increment financing plan, the governing body in a taxing  
15 jurisdiction levying ad valorem property taxes that would otherwise  
16 be subject to capture may exempt its taxes from capture by adopting  
17 a resolution to that effect and filing a copy with the clerk of the  
18 municipality proposing to create the authority. The resolution  
19 shall take effect when filed with the clerk and remains effective  
20 until a copy of a resolution rescinding that resolution is filed  
21 with that clerk. **IF A SEPARATE MILLAGE FOR PUBLIC LIBRARY PURPOSES**  
22 **WAS LEVIED BEFORE JANUARY 1, 2017, AND ALL OBLIGATIONS OF THE**  
23 **AUTHORITY ARE PAID, THEN THE LEVY IS EXEMPT FROM CAPTURE UNDER THIS**  
24 **ACT, UNLESS THE LIBRARY BOARD OR COMMISSION ALLOWS ALL OR A PORTION**  
25 **OF ITS TAXES LEVIED TO BE INCLUDED AS TAX INCREMENT REVENUES AND**  
26 **SUBJECT TO CAPTURE UNDER THIS ACT UNDER THE TERMS OF A WRITTEN**  
27 **AGREEMENT BETWEEN THE LIBRARY BOARD OR COMMISSION AND THE**

1 AUTHORITY. THE WRITTEN AGREEMENT SHALL BE FILED WITH THE CLERK OF  
2 THE MUNICIPALITY. HOWEVER, IF A SEPARATE MILLAGE FOR PUBLIC LIBRARY  
3 PURPOSES WAS LEVIED BEFORE JANUARY 1, 2017, AND THE AUTHORITY  
4 ALTERS OR AMENDS THE BOUNDARIES OF THE DEVELOPMENT AREA OR EXTENDS  
5 THE DURATION OF THE EXISTING FINANCE PLAN, THEN THE LIBRARY BOARD  
6 OR COMMISSION MAY, NOT LATER THAN 60 DAYS AFTER A PUBLIC HEARING IS  
7 HELD UNDER THIS SUBSECTION, EXEMPT ALL OR A PORTION OF ITS TAXES  
8 FROM CAPTURE BY ADOPTING A RESOLUTION TO THAT EFFECT AND FILING A  
9 COPY WITH THE CLERK OF THE MUNICIPALITY THAT CREATED THE AUTHORITY.  
10 FOR AD VALOREM PROPERTY TAXES OR SPECIFIC LOCAL TAXES ATTRIBUTABLE  
11 TO THOSE AD VALOREM PROPERTY TAXES LEVIED FOR A SEPARATE MILLAGE  
12 FOR PUBLIC LIBRARY PURPOSES APPROVED BY THE ELECTORS AFTER DECEMBER  
13 31, 2016, A LIBRARY BOARD OR COMMISSION MAY ALLOW ALL OR A PORTION  
14 OF ITS TAXES LEVIED TO BE INCLUDED AS TAX INCREMENT REVENUES AND  
15 SUBJECT TO CAPTURE UNDER THIS ACT UNDER THE TERMS OF A WRITTEN  
16 AGREEMENT BETWEEN THE LIBRARY BOARD OR COMMISSION AND THE  
17 AUTHORITY. THE WRITTEN AGREEMENT SHALL BE FILED WITH THE CLERK OF  
18 THE MUNICIPALITY. HOWEVER, IF THE LIBRARY WAS CREATED UNDER SECTION  
19 1 OR 10A OF 1877 PA 164, MCL 397.201 AND 397.210A, OR ESTABLISHED  
20 UNDER 1869 LA 233, THEN ANY ACTION OF THE LIBRARY BOARD OR  
21 COMMISSION UNDER THIS SUBSECTION SHALL HAVE THE CONCURRENCE OF THE  
22 CHIEF EXECUTIVE OFFICER OF THE CITY THAT CREATED THE LIBRARY TO BE  
23 EFFECTIVE.