

SENATE BILL No. 1091

September 5, 2018, Introduced by Senator HOPGOOD and referred to the Committee on Economic Development and International Investment.

A bill to amend 2018 PA 57, entitled
"Recodified tax increment financing act,"
by amending section 229 (MCL 125.4229).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 229. (1) A public facility, building, or structure that
2 is determined by the municipality to have significant historical
3 interests shall be preserved in a manner as considered necessary by
4 the municipality in accordance with laws relative to the
5 preservation of historical sites. The preservation of facilities,
6 buildings, or structures determined to be historic sites by a
7 municipality shall include, at a minimum, equipping the historic
8 site with a fire alarm system.

9 (2) ~~An authority shall refer all proposed changes PRIOR TO~~

1 MAKING OR APPROVING A PERMANENT CHANGE to the exterior of ~~sites~~ A
2 SITE OWNED BY THE AUTHORITY, OR FOR WHICH THE ACQUISITION,
3 REHABILITATION, OR DEMOLITION IS FINANCED BY THE AUTHORITY, AND
4 listed on the state register of historic sites ~~and~~ OR the national
5 register of historic places ~~to the applicable historic district~~
6 ~~commission created under~~ OR THAT IS SUBJECT TO the local historic
7 districts act, 1970 PA 169, MCL 399.201 to 399.215, ~~or the Michigan~~
8 ~~state housing development authority for review.~~ THE AUTHORITY SHALL
9 REFER ALL PROPOSED CHANGES TO THE LOCAL HISTORIC DISTRICT
10 COMMISSION ESTABLISHED UNDER THE LOCAL HISTORIC DISTRICTS ACT, 1970
11 PA 169, MCL 399.201 TO 399.215, IN WHICH THE SITE IS LOCATED. IN
12 REVIEWING THE PROPOSED CHANGES, THE LOCAL HISTORIC DISTRICT
13 COMMISSION SHALL FOLLOW THE UNITED STATES SECRETARY OF THE
14 INTERIOR'S STANDARDS FOR REHABILITATION AND GUIDELINES FOR
15 REHABILITATING HISTORIC BUILDINGS, AS PROVIDED IN 36 CFR PART 67.

16 (3) THROUGH DECEMBER 31, 2023, NOT LESS THAN 30 DAYS PRIOR TO
17 MAKING OR APPROVING A PERMANENT CHANGE TO THE EXTERIOR OF A SITE
18 OWNED BY THE AUTHORITY OR FOR WHICH THE ACQUISITION,
19 REHABILITATION, OR DEMOLITION IS FINANCED BY THE AUTHORITY AND
20 LISTED ON THE STATE REGISTER OF HISTORIC SITES OR THE NATIONAL
21 REGISTER OF HISTORIC PLACES IF THAT SITE IS NOT LOCATED IN A LOCAL
22 HISTORIC DISTRICT CREATED UNDER THE LOCAL HISTORIC DISTRICTS ACT,
23 1970 PA 169, MCL 399.201 TO 399.215, THE AUTHORITY SHALL REFER ALL
24 PROPOSED CHANGES TO THE STATE HISTORIC PRESERVATION OFFICE. IN
25 REVIEWING THE PROPOSED CHANGES, THE STATE HISTORIC PRESERVATION
26 OFFICE SHALL FOLLOW THE UNITED STATES SECRETARY OF THE INTERIOR'S
27 STANDARDS FOR REHABILITATION AND GUIDELINES FOR REHABILITATING

1 HISTORIC BUILDINGS, AS PROVIDED IN 36 CFR PART 67.

2 (4) IF AN AUTHORITY VIOLATES SUBSECTION (3) BY DEMOLISHING A
3 FACILITY, BUILDING, OR STRUCTURE AS DETERMINED BY THE STATE
4 HISTORIC PRESERVATION OFFICE, THEN IT IS LIABLE FOR A CIVIL FINE IN
5 AN AMOUNT OF UP TO \$30,000.00, AS DETERMINED BY THE STATE HISTORIC
6 PRESERVATION OFFICE. THE CIVIL FINE SHALL BE PAID TO THE STATE
7 HISTORIC PRESERVATION OFFICE. FROM THE CIVIL FINES COLLECTED UNDER
8 THIS SECTION, THE STATE HISTORIC PRESERVATION OFFICE SHALL CREATE
9 AND OPERATE A GRANT PROGRAM THAT PROVIDES GRANTS TO NONPROFIT
10 HISTORIC PRESERVATION ORGANIZATIONS AND TO CITIES, VILLAGES, AND
11 TOWNSHIPS FOR HISTORIC PRESERVATION PURPOSES WITH A PREFERENCE TO
12 THOSE SERVING THE COMMUNITY IN WHICH THE SITE WHERE THE VIOLATION
13 OCCURRED IS LOCATED. THE STATE HISTORIC PRESERVATION OFFICE MAY
14 RETAIN 5% OF THE CIVIL FINE FOR ADMINISTRATIVE COSTS FOR
15 ADMINISTERING THE GRANT PROGRAM OR THE ACTUAL COSTS ASSOCIATED WITH
16 ADMINISTERING THE GRANT, WHICHEVER IS LESS. THE GRANT PROGRAM FUNDS
17 SHALL BE AWARDED WITHIN 90 DAYS OF RECEIPT IF THERE ARE ELIGIBLE
18 APPLICATIONS. ANY FUNDS REMAINING AT THE END OF THE FISCAL YEAR
19 SHALL NOT LAPSE AND SHALL REMAIN IN THE GRANT PROGRAM FUND AND NOT
20 BE TRANSFERRED TO THE GENERAL FUND.

21 (5) AS USED IN THIS SECTION, "STATE HISTORIC PRESERVATION
22 OFFICE" MEANS THE STATE HISTORIC PRESERVATION OFFICE DESCRIBED IN
23 CHAPTER 3C OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966,
24 1966 PA 346, MCL 125.1459D TO 125.1459E.

25 Enacting section 1. This amendatory act takes effect January 1
26 1, 2019.