

# SENATE BILL NO. 409

August 20, 2019, Introduced by Senators MACDONALD, LASATA, POLEHANKI, BRINKS, ANANICH, GEISS, MCMORROW, ALEXANDER, WOJNO, BAYER, BULLOCK, IRWIN and HOLLIER and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1967 PA 281, entitled  
"Income tax act of 1967,"  
(MCL 206.1 to 206.713) by adding section 279.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 279. (1) Subject to the limitations under this section,  
2   for tax years that begin on and after January 1, 2020, a taxpayer  
3   may claim a credit against the tax imposed by this part equal to  
4   the following percentages of the costs incurred less any rebates or  
5   other reimbursement received related to those costs during the tax  
6   year to purchase and install 1 or more new charging stations in

1 this state:

2 (a) For a taxpayer that purchases and installs 1 or more  
3 charging stations at a residential rental property that is a  
4 multiple-unit dwelling owned by the taxpayer, 25% of the certified  
5 net cost or \$1,250.00, whichever is less, for each new charging  
6 station.

7 (b) For a taxpayer with not more than 50 employees that  
8 purchases and installs 1 or more charging stations that are  
9 available to the public, 35% of the certified net cost or  
10 \$1,750.00, whichever is less, for each new charging system.

11 (2) A taxpayer shall not claim a credit under this section  
12 unless the Michigan agency for energy has issued a certificate to  
13 the taxpayer. Subject to the limitations under this section, the  
14 Michigan agency for energy shall review and issue the certificate  
15 upon verification of the costs incurred by the taxpayer. The  
16 taxpayer shall attach the certificate to the annual tax return  
17 filed under this part on which the credit under this section is  
18 claimed. The certificate required by this subsection shall state  
19 all of the following:

20 (a) The number of charging stations that the taxpayer has  
21 purchased and installed on its property during the tax year for  
22 which this credit is sought.

23 (b) The amount of the costs incurred by the taxpayer during  
24 the tax year to purchase and install each charging station.

25 (c) The amount of any rebates or other reimbursements received  
26 by the taxpayer during the tax year for the purchase or  
27 installation of each charging station.

28 (d) The total amount of the credit allowed under this section  
29 for the taxpayer for the tax year.

1           (3) For purposes of this section, a charging station is  
2 available to the public if the charging station is physically  
3 accessible for the intent and purpose of charging an electric motor  
4 vehicle, the accessibility is not limited to employees or users by  
5 subscription, membership, or any other similar restriction, and the  
6 charging station has signage posted clearly indicating that it is  
7 available for public use on a daily basis. A taxpayer that claims a  
8 credit under this section and subsequently stops using 1 or more of  
9 the charging stations to provide electricity to the public for the  
10 purpose of charging plug-in electric vehicles within 3 years of  
11 receiving this credit may, as determined by the Michigan agency for  
12 energy, have its credit reduced or terminated or have a percentage  
13 of the credit amount previously claimed under this section added  
14 back to the tax liability of the taxpayer in the year that the  
15 taxpayer stops using the charging station to provide electricity to  
16 the public for the purpose of charging plug-in electric motor  
17 vehicles.

18           (4) The Michigan agency for energy shall not certify more than  
19 4,000 new charging stations under subsection (1)(a) or 4,000 new  
20 charging stations under subsection (1)(b).

21           (5) If the credit allowed under this section exceeds the tax  
22 liability of the taxpayer for the tax year, that portion of the  
23 credit that exceeds the tax liability shall be refunded.

24           (6) As used in this section:

25           (a) "Charging station" means an electric recharging port  
26 complete with electric vehicle supply equipment that is capable of  
27 providing level 2 charging for plug-in electric motor vehicles.

28           (b) "Electric vehicle supply equipment" means the conductors,  
29 including the ungrounded, grounded, and equipment grounding

1 conductors, and the electric vehicle connectors, attachment plugs,  
2 and all other fittings, devices, power outlets, or apparatuses that  
3 meet or exceed any standards, codes, and regulations set forth in R  
4 408.30801 to R 408.30880 of the Michigan Administrative Code and  
5 the standards set forth in SAE J1772 that are installed  
6 specifically for the purpose of delivering energy from the premises  
7 wiring to a plug-in electric motor vehicle.

8 (c) "Level 2 charging" means providing 208-240 volt alternate  
9 current energy to an onboard charge of an electric motor vehicle in  
10 a single phase with a maximum current specified under SAE J1772.

11 (d) "Motor vehicle" means that term as defined under section  
12 30d of the internal revenue code.

13 (e) "Plug-in electric motor vehicle" means a motor vehicle  
14 which is propelled to a significant extent by an electric motor  
15 which draws electricity from a battery that is capable of being  
16 recharged from an external source of electricity.

17 (f) "Residential rental property" means that term as defined  
18 in section 7ff of the general property tax act, 1893 PA 206, MCL  
19 211.7ff.

20 (g) "SAE J1772" means the North American standard for  
21 electrical connectors for electric vehicles maintained by the  
22 Society of Automotive Engineers and has the formal title SAE  
23 electric vehicle conductive charge coupler.