

**SUBSTITUTE FOR
HOUSE BILL NO. 5140**

A bill to amend 1992 PA 147, entitled
"Neighborhood enterprise zone act,"
by amending section 4 (MCL 207.774), as amended by 2004 PA 396.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The owner or developer or prospective owner or
2 developer of a proposed new facility or an owner or developer or
3 prospective developer proposing to rehabilitate property located
4 in a neighborhood enterprise zone may file an application for a
5 neighborhood enterprise zone certificate with the clerk of the
6 local governmental unit. The application shall be filed in the
7 manner and form prescribed by the commission. Except as provided
8 in subsection (2), the application shall be filed before a
9 building permit is issued for the new construction or
10 rehabilitation of the facility.

11 (2) An application may be filed after a building permit is

1 issued only if 1 or more of the following apply:

2 (a) For the rehabilitation of a facility if the area in which
3 the facility is located is designated as a neighborhood
4 enterprise zone by the governing body of the local governmental
5 unit in the calendar year 1992 and if the building permit is
6 issued for the rehabilitation before December 31, 1994 and after
7 the date on which the area in which the facility is located was
8 designated as a neighborhood enterprise zone by the governing
9 body of the local governmental unit.

10 (b) For the construction of a new facility if the area in
11 which the new facility is located is designated as a neighborhood
12 enterprise zone by the governing body of the local governmental
13 unit in calendar year 1992 or 1993 and if the building permit is
14 issued for that new facility before December 31, 1995 and after
15 January 1, 1993.

16 (c) For the construction of a new facility if the area in
17 which the new facility is located is designated as a neighborhood
18 enterprise zone by the governing body of the local governmental
19 unit in July 1997 and if the building permit is issued for that
20 new facility on February 3, 1998.

21 (d) For a new facility or a rehabilitated facility if the
22 area in which the new facility or rehabilitated facility is
23 located was designated as a neighborhood enterprise zone by the
24 governing body of the local governmental unit in July 1996 and if
25 the building permit was issued for that facility on or before
26 July 3, 2001.

27 (e) For a new facility or a rehabilitated facility if the

1 area in which the new facility or rehabilitated facility is
2 located was designated as a neighborhood enterprise zone by the
3 governing body of the local governmental unit in October 1994 and
4 if the building permit was issued for that facility on or before
5 April 25, 1997.

6 (f) For the construction of a new facility if the area in
7 which the new facility is located is designated as a neighborhood
8 enterprise zone by the governing body of the local governmental
9 unit in September 2001 and if the building permit is issued for
10 that new facility on March 3, 2003.

11 (g) For a rehabilitated facility if all or a portion of the
12 rehabilitated facility is a qualified historic building.

13 (h) For the construction of a new facility if the area in
14 which the new facility is located is designated as a neighborhood
15 enterprise zone by the governing body of the local governmental
16 unit in July 1993 and the new facility was a model home.

17 **(i) For the construction of a new facility if the area in**
18 **which the new facility is located is designated as a neighborhood**
19 **enterprise zone by the governing body of the local governmental**
20 **unit in August 2004 and if building permits were issued for that**
21 **facility beginning November 5, 2002 through December 23, 2003.**

22 (3) The application shall contain or be accompanied by all of
23 the following:

24 (a) A general description of the new facility or proposed
25 rehabilitated facility.

26 (b) The dimensions of the parcel on which the new facility or
27 proposed rehabilitated facility is or is to be located.

1 (c) The general nature and extent of the construction to be
2 undertaken.

3 (d) A time schedule for undertaking and completing the
4 rehabilitation of property or the construction of the new
5 facility.

6 (e) Any other information required by the local governmental
7 unit.

8 (4) Notwithstanding any other provisions of this act, for any
9 certificate issued as a result of the enactment of the amendatory
10 act that added subsection (2)(c), the effective date of the
11 certificate shall be the first day of the tax year following the
12 year the certificate is approved by the commission.

13 (5) Notwithstanding any other provisions of this act, for any
14 certificate issued as a result of the enactment of the amendatory
15 act that added subsection (2)(d) or the amendatory act that added
16 subsection (2)(e), the effective date of the certificate shall be
17 January 1, 2001.