

# SENATE BILL No. 469

May 5, 2005, Introduced by Senators GARCIA, KUIPERS, HARDIMAN and GOSCHKA and referred to the Committee on Finance.

A bill to amend 1967 PA 281, entitled  
"Income tax act of 1967,"  
(MCL 206.1 to 206.532) by adding section 272.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 272. (1) FOR TAX YEARS THAT BEGIN AFTER DECEMBER 31,  
2        2004, A TAXPAYER MAY CREDIT AGAINST THE TAX IMPOSED BY THIS ACT AN  
3        AMOUNT EQUAL TO 10% OF THE CREDIT THE TAXPAYER IS ALLOWED TO CLAIM  
4        AS A CREDIT UNDER SECTION 32 OF THE INTERNAL REVENUE CODE FOR A TAX  
5        YEAR ON A RETURN FILED UNDER THIS ACT FOR THE SAME TAX YEAR.

6        (2) THE CREDIT UNDER THIS SECTION SHALL BE CLAIMED ONLY FOR  
7        THE TAX YEARS THAT BEGIN AFTER THE FIRST DECEMBER 31 AFTER DECEMBER  
8        31, 2004 THAT FOLLOWS 2 CONSECUTIVE STATE FISCAL YEARS IN WHICH THE  
9        COMPREHENSIVE ANNUAL FINANCIAL REPORT OF THIS STATE FOR A STATE  
10       FISCAL YEAR, PUBLISHED PURSUANT TO SECTION 494 OF THE MANAGEMENT  
11       AND BUDGET ACT, 1984 PA 431, MCL 18.1494, REPORTS AN ENDING BALANCE

1 OF \$300,000,000.00 OR MORE IN THE COUNTERCYCLICAL BUDGET AND  
2 ECONOMIC STABILIZATION FUND CREATED UNDER SECTION 351 OF THE  
3 MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1351.

4 (3) IF THE CREDIT ALLOWED BY THIS SECTION EXCEEDS THE TAX  
5 LIABILITY OF THE TAXPAYER FOR THE TAX YEAR, THE STATE TREASURER  
6 SHALL REFUND THE EXCESS TO THE TAXPAYER WITHOUT INTEREST, EXCEPT AS  
7 PROVIDED IN SECTION 30 OF 1941 PA 122, MCL 205.30.