

HOUSE BILL No. 6098

April 29, 2010, Introduced by Reps. Donigan and Bauer and referred to the Committee on Intergovernmental and Regional Affairs.

A bill to amend 1966 PA 346, entitled
"State housing development authority act of 1966,"
by amending sections 59 and 59a (MCL 125.1459 and 125.1459a), as
added by 2008 PA 456.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 59. (1) The definitions in section 11 apply to this
2 chapter unless otherwise provided in this chapter.

3 (2) As used in this chapter:

4 (a) "Area median income" means the median income for the area
5 as determined under section 8 of the United States housing act of
6 1937, 42 USC 1437f, adjusted for family size.

7 (b) "Income" means an amount determined in a manner consistent
8 with the determination of lower income families under section 8 of
9 the United States housing act of 1937, 42 USC 1437f.

1 (c) "Supportive housing property" means property that meets
2 all of the following requirements:

3 (i) Is owned by an organization exempt under section 501(c)(3)
4 of the internal revenue code, 26 USC 501, **OR BY A NONPROFIT HOUSING**
5 **CORPORATION ORGANIZED UNDER CHAPTER 4.**

6 (ii) All living units are occupied by 1 or more persons each
7 having incomes at or below 30% of the area median income and who
8 each individually receive services for not less than 1 hour per
9 month either directly from or contracted for by an organization
10 identified in subparagraph (i), which services include, but are not
11 limited to, mental health, substance abuse, counseling, and
12 assistance with daily living.

13 (iii) Consists of not more than 6 individual living units.

14 (D) **"INDIVIDUAL LIVING UNIT" MEANS AN ACCOMMODATION CONTAINING**
15 **A LIVING AREA, A SLEEPING AREA, BATHING AND SANITATION FACILITIES,**
16 **AND COOKING FACILITIES EQUIPPED WITH A COOKING RANGE, REFRIGERATOR,**
17 **AND SINK, ALL OF WHICH ARE SEPARATE AND DISTINCT FROM ANY OTHER**
18 **ACCOMMODATIONS. AN INDIVIDUAL LIVING UNIT MAY BE SERVED BY HEATING**
19 **OR COOLING FACILITIES THAT ALSO SERVE ADDITIONAL UNITS.**

20 Sec. 59a. ~~(1)~~—The owner of supportive housing property shall
21 file with the local assessing officer a notification of that
22 status, which shall be in an affidavit form as provided by the
23 authority. The completed affidavit form first shall be submitted to
24 the authority for certification by the authority that the project
25 is supportive housing property. The owner then shall file the
26 certified notification of the exemption with the local assessing
27 officer before November 1 of the year preceding the tax year in

1 which the exemption is to begin.

2 ~~—— (2) An owner of property for which certification as supportive~~
3 ~~housing property is denied or a local unit of government in which~~
4 ~~property certified as supportive housing property is located may~~
5 ~~appeal the authority's determination to the circuit court of the~~
6 ~~county in which the property is located.~~

7 ~~—— (3) The authority shall certify property as supportive housing~~
8 ~~property on a first-come, first-served basis. However, **THE**~~

9 **AUTHORITY SHALL NOT CERTIFY MORE THAN 250 UNITS OF SUPPORTIVE**

10 **HOUSING PROPERTY IN EACH YEAR, AND** not more than 25% of the number

11 ~~of living 62 units that may be certified as supportive housing~~

12 property for a year can be in a single county. If by October 1 of

13 that year the total number of living units for that year is less

14 **FEWER** than the 250 living units authorized, ~~in subsection (1), the~~

15 authority may certify living units on a first-come, first-served

16 basis in counties that received 25% ~~62~~ of the living units for that

17 year.