

SUBSTITUTE FOR  
SENATE BILL NO. 1059

A bill to amend 1893 PA 206, entitled  
"The general property tax act,"  
by amending sections 7jj and 27a (MCL 211.7jj[1] and 211.27a),  
section 7jj as added by 2006 PA 378 and section 27a as amended by  
2012 PA 47.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 7jj. (1) ~~Except as otherwise limited in this subsection,~~  
2 ~~qualified~~ **QUALIFIED** forest property is exempt from the ~~tax levied~~  
3 ~~by a local school district for school operating purposes to the~~  
4 ~~extent provided under section 1211 of the revised school code, 1976~~  
5 ~~PA 451, MCL 380.1211,~~ **COLLECTION OF GENERAL AD VALOREM TAXES UNDER**  
6 **THIS ACT**, according to the provisions of this section. **BUILDINGS OR**  
7 **STRUCTURES LOCATED ON QUALIFIED FOREST PROPERTY ARE NOT ELIGIBLE**

1 FOR THE EXEMPTION UNDER THIS SECTION. IF A PROPERTY OWNER IS  
2 INTERESTED IN OBTAINING AN EXEMPTION FOR QUALIFIED FOREST PROPERTY  
3 UNDER THIS SECTION, THE PROPERTY OWNER MAY CONTACT THE LOCAL  
4 CONSERVATION DISTRICT OR THE DEPARTMENT AND THE LOCAL CONSERVATION  
5 DISTRICT OR THE DEPARTMENT SHALL ADVISE THE PROPERTY OWNER ON THE  
6 EXEMPTION PROCESS. IF REQUESTED BY THE PROPERTY OWNER, THE LOCAL  
7 CONSERVATION DISTRICT OR THE DEPARTMENT SHALL PROVIDE THE PROPERTY  
8 OWNER WITH A LIST OF QUALIFIED FORESTERS TO PREPARE A FOREST  
9 MANAGEMENT PLAN. THE DEPARTMENT SHALL MAINTAIN A LIST OF QUALIFIED  
10 FORESTERS THROUGHOUT THE STATE AND SHALL MAKE THE LIST AVAILABLE TO  
11 THE CONSERVATION DISTRICTS AND TO INTERESTED LANDOWNERS. The amount  
12 of qualified forest property in this state that is eligible for the  
13 exemption under this section is limited as follows:

14 (a) In the fiscal year ending September 30, 2008, 300,000  
15 acres.

16 (b) In the fiscal year ending September 30, 2009, 600,000  
17 acres.

18 (c) In the fiscal year ending September 30, 2010, 900,000  
19 acres.

20 (d) In the fiscal year ending September 30, 2011 and each  
21 fiscal year thereafter, ~~1,200,000~~ 2,400,000 acres. **BEGINNING IN THE**  
22 **FISCAL YEAR ENDING SEPTEMBER 30, 2013 AND EACH FISCAL YEAR**  
23 **THEREAFTER, REAL PROPERTY ELIGIBLE FOR EXEMPTION UNDER THIS SECTION**  
24 **AS QUALIFIED FOREST PROPERTY AS A RESULT OF THE WITHDRAWAL OF THAT**  
25 **PROPERTY FROM THE OPERATION OF PART 511 OF THE NATURAL RESOURCES**  
26 **AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.51101 TO**  
27 **324.51120, AS PROVIDED IN SECTION 51108(5) OF THE NATURAL RESOURCES**

1 AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.51108, SHALL  
2 NOT BE CREDITED AGAINST THE 2,400,000 ACRES OF PROPERTY THAT ARE  
3 ELIGIBLE FOR EXEMPTION AS QUALIFIED FOREST PROPERTY UNDER THIS  
4 SECTION.

5 (2) TO CLAIM AN EXEMPTION UNDER SUBSECTION (1), A PROPERTY  
6 OWNER SHALL OBTAIN A FOREST MANAGEMENT PLAN FROM A QUALIFIED  
7 FORESTER AND SUBMIT A DIGITAL COPY OF THAT FOREST MANAGEMENT PLAN,  
8 AN APPLICATION FOR EXEMPTION AS QUALIFIED FOREST PROPERTY, AND A  
9 FEE OF \$200.00 TO THE DEPARTMENT ON A FORM CREATED BY THE  
10 DEPARTMENT BY AUGUST 1 FOR THE TAX YEAR WITHIN WHICH THE EXEMPTION  
11 IS REQUESTED. A FOREST MANAGEMENT PLAN IS NOT SUBJECT TO THE  
12 FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246. THE  
13 DEPARTMENT SHALL FORWARD A COPY OF THE APPLICATION TO THE LOCAL  
14 CONSERVATION DISTRICT FOR REVIEW AND TO THE LOCAL TAX COLLECTING  
15 UNIT FOR NOTIFICATION OF THE APPLICATION.

16 (3) A CONSERVATION DISTRICT SHALL REVIEW THE APPLICATION TO  
17 DETERMINE IF THE APPLIED-FOR PROPERTY MEETS THE MINIMUM  
18 REQUIREMENTS FOR ENROLLING INTO THE QUALIFIED FOREST PROGRAM. A  
19 CONSERVATION DISTRICT SHALL RESPOND WITHIN 45 DAYS OF THE DATE OF  
20 RECEIPT OF THE APPLICATION INDICATING WHETHER THE PROPERTY IN THE  
21 APPLICATION IS ELIGIBLE FOR ENROLLMENT. IF THE CONSERVATION  
22 DISTRICT DOES NOT RESPOND WITHIN 45 DAYS OF RECEIPT OF THE  
23 APPLICATION, THE PROPERTY SHALL BE CONSIDERED ELIGIBLE FOR THE  
24 EXEMPTION UNDER THIS SECTION.

25 (4) THE DEPARTMENT SHALL REVIEW THE APPLICATION, COMMENTS FROM  
26 THE CONSERVATION DISTRICT, AND THE FOREST MANAGEMENT PLAN TO  
27 DETERMINE IF THE PROPERTY IS ELIGIBLE FOR THE EXEMPTION UNDER THIS

1 SECTION. THE DEPARTMENT SHALL REVIEW THE FOREST MANAGEMENT PLAN TO  
2 DETERMINE IF THE ELEMENTS REQUIRED IN SUBSECTION 15(F) ARE IN THE  
3 PLAN. WITHIN 90 DAYS OF RECEIPT OF THE APPLICATION, FOREST  
4 MANAGEMENT PLAN, AND FEE, THE DEPARTMENT SHALL REVIEW THE  
5 APPLICATION AND, IF THE APPLICATION AND SUPPORTING DOCUMENTS ARE IN  
6 COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION, THE DEPARTMENT  
7 SHALL APPROVE THE APPLICATION AND SHALL PREPARE A QUALIFIED FOREST  
8 SCHOOL TAX AFFIDAVIT, IN RECORDABLE FORM, INDICATING ALL OF THE  
9 FOLLOWING:

10 (A) THE NAME OF THE LANDOWNER.

11 (B) THE LEGAL DESCRIPTION OF THE PROPERTY.

12 (C) THE YEAR THE APPLICATION WAS SUBMITTED FOR THE EXEMPTION.

13 (D) A STATEMENT THAT THE LANDOWNER IS ATTESTING THAT THE  
14 PROPERTY FOR WHICH THE EXEMPTION IS CLAIMED IS QUALIFIED FOREST  
15 PROPERTY AND WILL BE MANAGED ACCORDING TO THE APPROVED FOREST  
16 MANAGEMENT PLAN.

17 (E) ANY OTHER INFORMATION PERTINENT TO THE PARCEL AND THE  
18 PROPERTY OWNER.

19 (5) THE DEPARTMENT SHALL SEND A QUALIFIED FOREST SCHOOL TAX  
20 AFFIDAVIT PREPARED UNDER SUBSECTION (5) TO THE PROPERTY OWNER FOR  
21 EXECUTION. THE 90-DAY REVIEW PERIOD BY THE DEPARTMENT MAY BE  
22 EXTENDED UPON REQUEST OF THE PROPERTY OWNER. THE PROPERTY OWNER  
23 SHALL EXECUTE THE QUALIFIED FOREST SCHOOL TAX AFFIDAVIT AND SHALL  
24 HAVE THE EXECUTED QUALIFIED FOREST SCHOOL TAX AFFIDAVIT RECORDED BY  
25 THE REGISTER OF DEEDS IN THE COUNTY IN WHICH THE PROPERTY IS  
26 LOCATED. THE PROPERTY OWNER SHALL PROVIDE A COPY OF THE QUALIFIED  
27 FOREST SCHOOL TAX AFFIDAVIT TO THE DEPARTMENT. THE DEPARTMENT SHALL

1 PROVIDE 1 COPY OF THE QUALIFIED FOREST SCHOOL TAX AFFIDAVIT TO THE  
2 CONSERVATION DISTRICT AND 1 COPY TO THE DEPARTMENT OF TREASURY.  
3 THESE COPIES MAY BE SENT ELECTRONICALLY.

4 (6) IF THE APPLICATION IS DENIED, THE PROPERTY OWNER HAS 30  
5 DAYS FROM THE DATE OF NOTIFICATION OF THE DENIAL BY THE DEPARTMENT  
6 TO INITIATE AN APPEAL OF THAT DENIAL. AN APPEAL OF THE DENIAL SHALL  
7 BE BY CERTIFIED LETTER TO THE DIRECTOR OF THE DEPARTMENT.

8 (7) ~~(2)~~ To claim an exemption under subsection (1), the owner  
9 of qualified forest property shall ~~file an affidavit claiming the~~  
10 ~~exemption and an approved forest management plan or a certificate~~  
11 ~~provided by a third party certifying organization with the~~ PROVIDE  
12 A COPY OF THE RECORDED QUALIFIED FOREST SCHOOL TAX AFFIDAVIT  
13 ATTESTING THAT THE LAND IS QUALIFIED FOREST PROPERTY TO THE local  
14 tax collecting unit by December 31. An owner may claim an exemption  
15 under this section for not more than ~~320-640~~ acres of qualified  
16 forest property in each local tax collecting unit. If an exemption  
17 is granted under this section for less than ~~320-640~~ acres in a  
18 local tax collecting unit, an owner of that property may  
19 subsequently claim an exemption for additional property in that  
20 local tax collecting unit if that additional property meets the  
21 requirements of this section.

22 ~~— (3) The affidavit shall be on a form prescribed by the~~  
23 ~~department of treasury and shall require the person submitting the~~  
24 ~~affidavit to attest that the property for which the exemption is~~  
25 ~~claimed is qualified forest property and will be managed according~~  
26 ~~to the approved forest management plan.~~

27 (8) ~~(4)~~ The IF A COPY OF THE RECORDED QUALIFIED FOREST SCHOOL

1 **TAX AFFIDAVIT IS PROVIDED BY THE OWNER, THE** assessor shall  
2 ~~determine if the property is qualified forest property based on a~~  
3 ~~recommendation from the department of natural resources and~~  
4 ~~confirmation that the acreage limitation set forth in subsection~~  
5 ~~(1) has not been reached and if so shall exempt the property from~~  
6 the collection of the tax as provided in subsection (1) until  
7 December 31 of the year in which the property is no longer  
8 qualified forest property.

9 (9) ~~(5)~~ Not more than 90 days after all or a portion of the  
10 exempted property is no longer qualified forest property, the owner  
11 shall rescind the exemption for the applicable portion of the  
12 property by filing with the ~~local tax collecting unit~~ **REGISTER OF**  
13 **DEEDS FOR THE COUNTY IN WHICH THE EXEMPTED PROPERTY IS LOCATED** a  
14 rescission form prescribed by the department. ~~of treasury.~~ **THE**  
15 **RESCISSION FORM SHALL INCLUDE A LEGAL DESCRIPTION OF THE EXEMPTED**  
16 **PROPERTY.** An owner who fails to file a rescission as required by  
17 this subsection is subject to a penalty of \$5.00 per day for each  
18 separate failure beginning after the 90 days have elapsed, up to a  
19 maximum of \$1,000.00. This penalty shall be collected under 1941 PA  
20 122, MCL 205.1 to 205.31, and shall be deposited in the ~~general~~  
21 ~~fund of this state.~~ **PRIVATE FORESTLAND ENHANCEMENT FUND.**

22 (10) ~~(6)~~ An owner of property that is qualified forest  
23 property on December 31 for which an exemption was not on the tax  
24 roll may file an appeal with the July or December board of review  
25 under section 53b in the year the exemption was claimed or the  
26 immediately succeeding year. An owner of property that is qualified  
27 forest property on May 1 for which an exemption was denied by the

1 assessor in the year the affidavit was filed may file an appeal  
2 with the July board of review for summer taxes or, if there is not  
3 a summer levy of school operating taxes, with the December board of  
4 review under section 53b.

5 ~~—— (7) If the assessor of the local tax collecting unit believes~~  
6 ~~that the property for which an exemption has been granted is not~~  
7 ~~qualified forest property based on a recommendation from the~~  
8 ~~department of natural resources, the assessor may deny or modify an~~  
9 ~~existing exemption by notifying the owner in writing at the time~~  
10 ~~required for providing a notice under section 24c. A taxpayer may~~  
11 ~~appeal the assessor's determination to the board of review meeting~~  
12 ~~under section 30. A decision of the board of review may be appealed~~  
13 ~~to the residential and small claims division of the Michigan tax~~  
14 ~~tribunal.~~

15 (11) ~~(8)~~—If property for which an exemption has been granted  
16 under this section is not qualified forest property, the property  
17 that had been subject to that exemption shall be immediately placed  
18 on the tax roll by the local tax collecting unit if the local tax  
19 collecting unit has possession of the tax roll or by the county  
20 treasurer if the county has possession of the tax roll as though  
21 the exemption had not been granted. A corrected tax bill shall be  
22 issued for each tax year being adjusted by the local tax collecting  
23 unit if the local tax collecting unit has possession of the tax  
24 roll or by the county treasurer if the county has possession of the  
25 tax roll.

26 (12) ~~(9)~~—If **ALL OR A PORTION OF** property for which an  
27 exemption has been granted under this section is converted by a

1 change in use and is no longer qualified forest property, the  
2 ~~property is subject to the qualified forest property recapture tax~~  
3 ~~levied~~ AN OWNER SHALL IMMEDIATELY NOTIFY THE LOCAL TAX COLLECTING  
4 UNIT, THE DEPARTMENT, AND THE DEPARTMENT OF TREASURY ON A FORM  
5 CREATED BY THE DEPARTMENT. THE FORM SHALL INCLUDE A LEGAL  
6 DESCRIPTION OF THE EXEMPTED PROPERTY. A COPY OF THE FORM SHALL BE  
7 FILED WITH THE REGISTER OF DEEDS FOR THE COUNTY IN WHICH THE  
8 EXEMPTED PROPERTY IS LOCATED. UPON NOTICE THAT PROPERTY IS NO  
9 LONGER QUALIFIED FOREST PROPERTY, THE LOCAL TAX COLLECTING UNIT  
10 SHALL IMMEDIATELY RESCIND THE EXEMPTION UNDER THIS SECTION AND  
11 SHALL PLACE THE PROPERTY ON THE TAX ROLL FOR THE IMMEDIATELY  
12 SUCCEEDING TAX YEAR AND THE DEPARTMENT OF TREASURY SHALL  
13 IMMEDIATELY BEGIN COLLECTION OF ANY APPLICABLE TAX AND PENALTY  
14 UNDER THIS ACT OR under the qualified forest property recapture tax  
15 act, 2006 PA 379, MCL 211.1031 TO 211.1036. An owner of qualified  
16 forest property shall inform a prospective buyer of that qualified  
17 forest property that the qualified forest property is subject to  
18 the recapture tax provided in the qualified forest property  
19 recapture tax act, 2006 PA 379, MCL 211.1031 TO 211.1036, if the  
20 qualified forest property is converted by a change in use. HOWEVER,  
21 BEGINNING JANUARY 1, 2013 AND ENDING SEPTEMBER 30, 2013, OWNERS OF  
22 PROPERTY EXEMPT AS QUALIFIED FOREST PROPERTY PRIOR TO JANUARY 1,  
23 2013 MAY EXECUTE A NEW QUALIFIED FOREST SCHOOL TAX AFFIDAVIT UNDER  
24 THIS SECTION. IF AN OWNER OF QUALIFIED FOREST PROPERTY ELECTS NOT  
25 TO EXECUTE A NEW QUALIFIED FOREST SCHOOL TAX AFFIDAVIT UNDER THIS  
26 SECTION, THE EXISTING AFFIDAVIT SHALL BE RESCINDED WITHOUT PENALTY  
27 AND THE PROPERTY SHALL BE PLACED ON THE TAX ROLL AS THOUGH THE



1 EXEMPTION UNDER THIS SECTION HAD NOT BEEN GRANTED. IF A LANDOWNER  
2 ELECTS NOT TO EXECUTE A QUALIFIED FOREST SCHOOL TAX AFFIDAVIT UNDER  
3 THIS SECTION, THE PROPERTY IS NOT SUBJECT TO THE RECAPTURE TAX  
4 PROVIDED FOR UNDER THE QUALIFIED FOREST PROPERTY RECAPTURE TAX ACT,  
5 2006 PA 379, MCL 211.1031 TO 211.1036.

6 (13) ~~(10)~~ If qualified forest property is exempt under this  
7 section, an owner of that qualified forest property shall annually  
8 report to the department ~~of natural resources~~ on a form prescribed  
9 by the department ~~of natural resources~~ the amount of timber  
10 produced on that qualified forest property and whether any  
11 buildings or structures have been constructed on the qualified  
12 forest property. **WHEN A FOREST PRACTICE OR TIMBER HARVEST HAS**  
13 **OCCURRED ON THE QUALIFIED FOREST PROPERTY DURING A CALENDAR YEAR.**  
14 **THE REPORT SHALL INDICATE THE FOREST PRACTICE COMPLETED OR THE**  
15 **VOLUME AND VALUE OF TIMBER HARVESTED ON THAT QUALIFIED FOREST**  
16 **PROPERTY. ONE COPY OF THE FORM SHALL BE FORWARDED TO THE**  
17 **CONSERVATION DISTRICT, AND 1 COPY SHALL BE RETAINED BY THE**  
18 **DEPARTMENT FOR 7 YEARS. IF IT IS DETERMINED BY THE DEPARTMENT THAT**  
19 **A FOREST PRACTICE OR HARVEST HAS OCCURRED IN A CALENDAR YEAR AND NO**  
20 **REPORT WAS FILED, A FINE OF \$500.00 MAY BE COLLECTED BY THE**  
21 **DEPARTMENT.** Beginning in 2008, and every 3 years thereafter, the  
22 department ~~of natural resources~~ shall provide to the standing  
23 committees of the senate and house of representatives with primary  
24 jurisdiction over forestry issues a report that includes all of the  
25 following:

26 (a) The number of acres of qualified forest property in each  
27 county.

1 (b) The amount of timber produced on qualified forest property  
2 each year.

3 (14) WHILE QUALIFIED FOREST PROPERTY IS EXEMPT UNDER THIS  
4 SECTION, THE OWNER SHALL RETAIN THE CURRENT MANAGEMENT PLAN, MOST  
5 RECENT HARVEST RECORDS, RECORDED COPY OF A RECEIPT OF THE TAX  
6 EXEMPTION, AND A MAP THAT SHOWS THE LOCATION AND SIZE OF ANY  
7 BUILDINGS AND STRUCTURES ON THE PROPERTY. THE OWNER SHALL MAKE THE  
8 DOCUMENTS AVAILABLE TO THE DEPARTMENT UPON REQUEST. THE DEPARTMENT  
9 SHALL MAINTAIN A DATABASE LISTING ALL QUALIFIED FOREST PROPERTIES,  
10 INCLUDING THE DATES INDICATED FOR FOREST PRACTICES AND HARVESTS IN  
11 THE FOREST MANAGEMENT PLAN, AND SHALL NOTIFY THE LANDOWNER AND THE  
12 CONSERVATION DISTRICT IN ANY YEAR THAT FOREST PRACTICES OR HARVESTS  
13 ARE TO OCCUR. IF AN OWNER DOES NOT ACCOMPLISH FOREST PRACTICES AND  
14 HARVESTS WITHIN 1 YEAR OF THE CURRENT FOREST MANAGEMENT PLAN, THE  
15 PROPERTY IS NOT ELIGIBLE FOR THE EXEMPTION UNDER THIS SECTION AND  
16 THE QUALIFIED FOREST PROPERTY SHALL BE PLACED ON THE TAX ROLL AS  
17 PROVIDED IN THIS SECTION AND SHALL BE SUBJECT TO REPAYMENT AS  
18 INDICATED IN THE QUALIFIED FOREST PROPERTY RECAPTURE TAX ACT, 2006  
19 PA 379, MCL 211.1031 TO 211.1036.

20 (15) ~~(11)~~ As used in this section:

21 (a) "Approved forest management plan" means ~~1 of the~~  
22 ~~following:~~

23 ~~—— (i) A forest management plan approved by the department of~~  
24 ~~natural resources. DEVELOPED BY A QUALIFIED FORESTER.~~ An owner of  
25 property ~~may~~ **SHALL** submit a ~~proposed~~ forest management plan to the  
26 department ~~of natural resources~~ for approval **AS PRESCRIBED IN**  
27 **SUBSECTION (2)**. The ~~proposed~~ forest management plan shall include a

1 statement signed by the owner that he or she agrees to comply with  
2 all terms and conditions contained in the approved forest  
3 management plan. ~~The department of natural resources may charge a~~  
4 ~~fee of not more than \$200.00 for the consideration of each proposed~~  
5 ~~forest management plan submitted. The department of natural~~  
6 ~~resources shall review and either approve or disapprove each~~  
7 ~~proposed forest management plan submitted.~~ **IF A FOREST MANAGEMENT**  
8 **PLAN AND APPLICATION ARE SUBMITTED TO THE DEPARTMENT, THE**  
9 **DEPARTMENT SHALL REVIEW AND EITHER APPROVE OR DISAPPROVE THE**  
10 **OWNER'S APPLICATION WITHIN 90 DAYS OF SUBMISSION. APPROVAL OF THE**  
11 **PLAN SHALL BE BASED SOLELY ON COMPLIANCE WITH THE ELEMENTS REQUIRED**  
12 **IN SUBDIVISION (F). DENIAL OF THE PLAN SHALL BE BASED SOLELY ON**  
13 **NONCOMPLIANCE WITH THE REQUIREMENTS LISTED IN SUBDIVISION (F).** If  
14 the department ~~of natural resources~~ disapproves a ~~proposed forest~~  
15 management plan, the department ~~of natural resources~~ shall indicate  
16 the changes necessary to qualify the ~~proposed forest~~ management  
17 plan for approval on subsequent review. ~~At the request of the owner~~  
18 ~~submitting a proposed forest management plan, the department of~~  
19 ~~natural resources may agree to complete a proposed forest~~  
20 ~~management plan.~~ An owner and the department ~~of natural resources~~  
21 may mutually agree to amend **LIMITED AMENDMENTS OF** a ~~proposed forest~~  
22 management plan or an approved forest management plan. A forest  
23 management plan submitted ~~to the department of natural resources~~  
24 for approval shall ~~not extend beyond a period of 20 years.~~ **BE**  
25 **FOR A MINIMUM OF 30 YEARS. TO CONTINUE RECEIVING AN EXEMPTION UNDER**  
26 **THIS SECTION, AN** owner of property ~~may~~ **SHALL** submit a **DIGITAL COPY**  
27 **OF ANY** succeeding proposed forest management plan to the department

1 ~~of natural resources~~ for approval TOGETHER WITH A FEE OF \$200.00.  
2 MUTUALLY AGREED TO LIMITED AMENDMENTS OF THE APPROVED FOREST  
3 MANAGEMENT PLAN SHALL NOT BE SUBJECT TO A FEE OF \$200.00.

4 ~~—— (ii) A forest management plan certified by a third party~~  
5 ~~certifying organization.~~

6 (B) "CONSERVATION DISTRICT" MEANS A CONSERVATION DISTRICT  
7 ORGANIZED UNDER PART 93 OF THE NATURAL RESOURCES AND ENVIRONMENTAL  
8 PROTECTION ACT, 1994 PA 451, MCL 324.9301 TO 324.9313.

9 (C) ~~(b)~~—"Converted by a change in use" means that term as  
10 defined in section 2 of the qualified forest property recapture tax  
11 act, 2006 PA 379, MCL 211.1032.

12 (D) "DEPARTMENT" MEANS THE DEPARTMENT OF AGRICULTURE AND RURAL  
13 DEVELOPMENT.

14 (E) "FOREST MANAGEMENT PLAN" MEANS A WRITTEN PLAN PREPARED AND  
15 SIGNED BY A QUALIFIED FORESTER THAT PRESCRIBES MEASURES TO OPTIMIZE  
16 PRODUCTION, UTILIZATION, AND REGENERATION OF FOREST RESOURCES. THE  
17 FOREST MANAGEMENT PLAN SHALL INCLUDE A SCHEDULE AND TIMETABLES FOR  
18 THE VARIOUS SILVICULTURAL PRACTICES USED ON FORESTLANDS, WHICH  
19 SHALL BE A MINIMUM OF 30 YEARS IN LENGTH. A FOREST MANAGEMENT PLAN  
20 SHALL INCLUDE ALL OF THE FOLLOWING:

21 (i) THE NAME AND ADDRESS OF EACH OWNER OF THE PROPERTY.

22 (ii) THE LEGAL DESCRIPTION AND PARCEL IDENTIFICATION NUMBER OF  
23 THE PROPERTY OR OF THE PARCEL ON WHICH THE PROPERTY IS LOCATED.

24 (iii) A STATEMENT OF THE OWNER'S FOREST MANAGEMENT OBJECTIVES.

25 (iv) A MAP, DIAGRAM, OR AERIAL PHOTOGRAPH THAT IDENTIFIES BOTH  
26 FORESTED AND UNFORESTED AREAS OF THE PROPERTY, USING CONVENTIONAL  
27 MAP SYMBOLS INDICATING THE SPECIES, SIZE, AND STOCKING RATE AND

1 OTHER MAJOR FEATURES OF THE PROPERTY, INCLUDING THE LOCATION OF ANY  
2 BUILDINGS. THE LOCATION AND USE OF ANY BUILDINGS CAN BE ESTABLISHED  
3 ON A MAP CREATED BY A QUALIFIED FORESTER AND DOES NOT REQUIRE A  
4 SURVEY BY A REGISTERED SURVEYOR.

5 (v) A DESCRIPTION OF FOREST PRACTICE, INCLUDING HARVESTING,  
6 THINNING, AND REFORESTATION, THAT WILL BE UNDERTAKEN, SPECIFYING  
7 THE APPROXIMATE PERIOD OF TIME BEFORE EACH IS COMPLETED.

8 (vi) A DESCRIPTION OF SOIL CONSERVATION PRACTICES THAT MAY BE  
9 NECESSARY TO CONTROL ANY SOIL EROSION THAT MAY RESULT FROM THE  
10 FOREST PRACTICE DESCRIBED PURSUANT TO SUBPARAGRAPH (v).

11 (vii) A DESCRIPTION OF ACTIVITIES THAT MAY BE UNDERTAKEN FOR  
12 THE MANAGEMENT OF FOREST RESOURCES OTHER THAN TREES, INCLUDING  
13 WILDLIFE HABITAT, WATERSHEDS, AND AESTHETIC FEATURES.

14 (F) "FOREST PRACTICE" INCLUDES, BUT IS NOT LIMITED TO, ANY OF  
15 THE FOLLOWING:

16 (i) THE PREPARATION OF FOREST MANAGEMENT PLANS FOR FORESTLAND.

17 (ii) THE IMPROVEMENT OF SPECIES OF FOREST TREES.

18 (iii) REFORESTATION.

19 (iv) THE HARVESTING OF SPECIES OF FOREST TREES.

20 (v) ROAD CONSTRUCTION ASSOCIATED WITH THE IMPROVEMENT OR  
21 HARVESTING OF FOREST TREE SPECIES OR REFORESTATION.

22 (vi) USE OF CHEMICALS OR FERTILIZERS FOR THE PURPOSE OF GROWING  
23 OR MANAGING SPECIES OF FOREST TREES.

24 (vii) APPLICABLE SILVICULTURAL PRACTICES.

25 (viii) ANY OTHER ACTIONS INTENDED TO IMPROVE FORESTLAND OR  
26 FOREST RESOURCES.

27 (G) ~~(e)~~—"Forest products" includes, but is not limited to,

1 timber and pulpwood-related products.

2 (H) "HARVEST" MEANS THE POINT AT WHICH TIMBER THAT HAS BEEN  
3 CUT, SEVERED, OR REMOVED FOR PURPOSES OF SALE OR USE IS FIRST  
4 MEASURED IN THE ORDINARY COURSE OF BUSINESS AS DETERMINED BY  
5 REFERENCE TO COMMON PRACTICE IN THE TIMBER INDUSTRY.

6 ~~—— (d) "Natural resources professional" and "registered forester"~~  
7 ~~mean those terms as defined in section 51101 of the natural~~  
8 ~~resources and environmental protection act, 1994 PA 451, MCL~~  
9 ~~324.51101.~~

10 ~~—— (c) "Proposed forest management plan" means a proposed plan~~  
11 ~~for sustainable forest management that includes, but is not limited~~  
12 ~~to, harvesting, planting, and regeneration of forest products on a~~  
13 ~~parcel of property that is prepared by a qualified forester. A~~  
14 ~~proposed forest management plan shall include all of the following:~~

15 ~~—— (i) The name and address of each owner of the property.~~

16 ~~—— (ii) The legal description and parcel identification number of~~  
17 ~~the property or of the parcel on which the property is located.~~

18 ~~—— (iii) A statement of the owner's forest management objectives.~~

19 ~~—— (iv) A map, diagram, or aerial photograph that identified both~~  
20 ~~forested and unforested areas of the property, using conventional~~  
21 ~~map symbols indicating the species, size, and density of vegetation~~  
22 ~~and other major features of the property.~~

23 ~~—— (v) A description of the forestry practices, including~~  
24 ~~harvesting, thinning, and reforestation, that will be undertaken,~~  
25 ~~specifying the approximate period of time before each is completed.~~

26 ~~—— (vi) A description of soil conservation practices that may be~~  
27 ~~necessary to control any soil erosion that may result from the~~

1 forestry practices described pursuant to subparagraph (v).  
 2 ~~—— (vii) A proposed forest management plan shall also include a~~  
 3 ~~description of activities that may be undertaken for the management~~  
 4 ~~of forest resources other than trees, including wildlife habitat,~~  
 5 ~~watersheds, and aesthetic features.~~

6 (I) ~~(f)~~—"Qualified forest property" means a parcel of real  
 7 property that meets all of the following conditions as determined  
 8 by the department of ~~natural resources~~: **AGRICULTURE AND RURAL**

9 **DEVELOPMENT:**

10 (i) Is not less than ~~20~~ **10** contiguous acres in size, of which  
 11 not less than ~~80%~~ **50%** is **STOCKED WITH** productive forest capable of  
 12 producing ~~wood~~ **FOREST** products. Contiguity is not broken by a road,  
 13 a right-of-way, or property purchased or taken under condemnation  
 14 proceedings by a public utility for power transmission lines if the  
 15 2 parcels separated by the purchased or condemned property were a  
 16 single parcel prior to the sale or condemnation. As used in this  
 17 subparagraph, "productive forest" means real property capable of  
 18 growing not less than 20 cubic feet of wood per acre per year.  
 19 However, if property has been considered productive forest, an act  
 20 of God that negatively affects that property shall not result in  
 21 that property not being considered productive forest.

22 ~~—— (ii) Is stocked with forest products.~~

23 ~~—— (iii) Has no buildings or structures located on the real~~  
 24 ~~property.~~

25 (ii) ~~(iv)~~ Is subject to an approved forest management plan.

26 (iii) **FOR A PARCEL EXEMPT AS QUALIFIED AGRICULTURAL PROPERTY**  
 27 **UNDER SECTION 7EE, THE QUALIFIED FOREST PORTION OF THE PARCEL SHALL**

1 BE NOT LESS THAN 10 CONTIGUOUS ACRES OF WHICH NOT LESS THAN 50% IS  
2 PRODUCTIVE FOREST CAPABLE OF PRODUCING FOREST PRODUCTS.

3 (J) ~~(g)~~—"Qualified forester" means ~~natural resources~~  
4 ~~professional, a registered forester, or a conservation district~~  
5 ~~forester.~~ AN INDIVIDUAL WHO MEETS 1 OR MORE OF THE FOLLOWING  
6 REQUIREMENTS AND HAS REGISTERED WITH THE DEPARTMENT OF AGRICULTURE  
7 AND RURAL DEVELOPMENT UNDER SECTION 51306 OF THE NATURAL RESOURCES  
8 AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.51306:

9 (i) IS A FORESTER CERTIFIED BY THE SOCIETY OF AMERICAN  
10 FORESTERS.

11 (ii) IS A FOREST STEWARDSHIP PLAN WRITER.

12 (iii) IS A TECHNICAL SERVICE PROVIDER AS REGISTERED BY THE  
13 UNITED STATES DEPARTMENT OF AGRICULTURE FOR FOREST MANAGEMENT PLAN  
14 DEVELOPMENT.

15 ~~—(h) "Third party certifying organization" means an independent~~  
16 ~~third party organization that assesses and evaluates forest~~  
17 ~~management practices according to the standards of a certification~~  
18 ~~program that measures whether forest management practices are~~  
19 ~~consistent with principles of sustainable forestry. Third party~~  
20 ~~certifying organization includes, but is not limited to, the forest~~  
21 ~~stewardship council and the sustainable forest initiative.~~

22 Sec. 27a. (1) Except as otherwise provided in this section,  
23 property shall be assessed at 50% of its true cash value under  
24 section 3 of article IX of the state constitution of 1963.

25 (2) Except as otherwise provided in subsection (3), for taxes  
26 levied in 1995 and for each year after 1995, the taxable value of  
27 each parcel of property is the lesser of the following:



1 (a) The property's taxable value in the immediately preceding  
2 year minus any losses, multiplied by the lesser of 1.05 or the  
3 inflation rate, plus all additions. For taxes levied in 1995, the  
4 property's taxable value in the immediately preceding year is the  
5 property's state equalized valuation in 1994.

6 (b) The property's current state equalized valuation.

7 (3) Upon a transfer of ownership of property after 1994, the  
8 property's taxable value for the calendar year following the year  
9 of the transfer is the property's state equalized valuation for the  
10 calendar year following the transfer.

11 (4) If the taxable value of property is adjusted under  
12 subsection (3), a subsequent increase in the property's taxable  
13 value is subject to the limitation set forth in subsection (2)  
14 until a subsequent transfer of ownership occurs. If the taxable  
15 value of property is adjusted under subsection (3) and the assessor  
16 determines that there had not been a transfer of ownership, the  
17 taxable value of the property shall be adjusted at the July or  
18 December board of review. Notwithstanding the limitation provided  
19 in section 53b(1) on the number of years for which a correction may  
20 be made, the July or December board of review may adjust the  
21 taxable value of property under this subsection for the current  
22 year and for the 3 immediately preceding calendar years. A  
23 corrected tax bill shall be issued for each tax year for which the  
24 taxable value is adjusted by the local tax collecting unit if the  
25 local tax collecting unit has possession of the tax roll or by the  
26 county treasurer if the county has possession of the tax roll. For  
27 purposes of section 53b, an adjustment under this subsection shall

1 be considered the correction of a clerical error.

2 (5) Assessment of property, as required in this section and  
3 section 27, is inapplicable to the assessment of property subject  
4 to the levy of ad valorem taxes within voted tax limitation  
5 increases to pay principal and interest on limited tax bonds issued  
6 by any governmental unit, including a county, township, community  
7 college district, or school district, before January 1, 1964, if  
8 the assessment required to be made under this act would be less  
9 than the assessment as state equalized prevailing on the property  
10 at the time of the issuance of the bonds. This inapplicability  
11 shall continue until levy of taxes to pay principal and interest on  
12 the bonds is no longer required. The assessment of property  
13 required by this act shall be applicable for all other purposes.

14 (6) As used in this act, "transfer of ownership" means the  
15 conveyance of title to or a present interest in property, including  
16 the beneficial use of the property, the value of which is  
17 substantially equal to the value of the fee interest. Transfer of  
18 ownership of property includes, but is not limited to, the  
19 following:

20 (a) A conveyance by deed.

21 (b) A conveyance by land contract. The taxable value of  
22 property conveyed by a land contract executed after December 31,  
23 1994 shall be adjusted under subsection (3) for the calendar year  
24 following the year in which the contract is entered into and shall  
25 not be subsequently adjusted under subsection (3) when the deed  
26 conveying title to the property is recorded in the office of the  
27 register of deeds in the county in which the property is located.

1 (c) A conveyance to a trust after December 31, 1994, except if  
2 the settlor or the settlor's spouse, or both, conveys the property  
3 to the trust and the sole present beneficiary or beneficiaries are  
4 the settlor or the settlor's spouse, or both.

5 (d) A conveyance by distribution from a trust, except if the  
6 distributee is the sole present beneficiary or the spouse of the  
7 sole present beneficiary, or both.

8 (e) A change in the sole present beneficiary or beneficiaries  
9 of a trust, except a change that adds or substitutes the spouse of  
10 the sole present beneficiary.

11 (f) A conveyance by distribution under a will or by intestate  
12 succession, except if the distributee is the decedent's spouse.

13 (g) A conveyance by lease if the total duration of the lease,  
14 including the initial term and all options for renewal, is more  
15 than 35 years or the lease grants the lessee a bargain purchase  
16 option. As used in this subdivision, "bargain purchase option"  
17 means the right to purchase the property at the termination of the  
18 lease for not more than 80% of the property's projected true cash  
19 value at the termination of the lease. After December 31, 1994, the  
20 taxable value of property conveyed by a lease with a total duration  
21 of more than 35 years or with a bargain purchase option shall be  
22 adjusted under subsection (3) for the calendar year following the  
23 year in which the lease is entered into. This subdivision does not  
24 apply to personal property except buildings described in section  
25 14(6) and personal property described in section 8(h), (i), and  
26 (j). This subdivision does not apply to that portion of the  
27 property not subject to the leasehold interest conveyed.

1 (h) Except as otherwise provided in this subdivision, a  
2 conveyance of an ownership interest in a corporation, partnership,  
3 sole proprietorship, limited liability company, limited liability  
4 partnership, or other legal entity if the ownership interest  
5 conveyed is more than 50% of the corporation, partnership, sole  
6 proprietorship, limited liability company, limited liability  
7 partnership, or other legal entity. Unless notification is provided  
8 under subsection (10), the corporation, partnership, sole  
9 proprietorship, limited liability company, limited liability  
10 partnership, or other legal entity shall notify the assessing  
11 officer on a form provided by the state tax commission not more  
12 than 45 days after a conveyance of an ownership interest that  
13 constitutes a transfer of ownership under this subdivision. Both of  
14 the following apply to a corporation subject to 1897 PA 230, MCL  
15 455.1 to 455.24:

16 (i) A transfer of stock of the corporation is a transfer of  
17 ownership only with respect to the real property that is assessed  
18 to the transferor lessee stockholder.

19 (ii) A cumulative conveyance of more than 50% of the  
20 corporation's stock does not constitute a transfer of ownership of  
21 the corporation's real property.

22 (i) A transfer of property held as a tenancy in common, except  
23 that portion of the property not subject to the ownership interest  
24 conveyed.

25 (j) A conveyance of an ownership interest in a cooperative  
26 housing corporation, except that portion of the property not  
27 subject to the ownership interest conveyed.

1 (7) Transfer of ownership does not include the following:

2 (a) The transfer of property from 1 spouse to the other spouse  
3 or from a decedent to a surviving spouse.

4 (b) A transfer from a husband, a wife, or a husband and wife  
5 creating or disjoining a tenancy by the entirety in the grantors  
6 or the grantor and his or her spouse.

7 (c) A transfer of that portion of property subject to a life  
8 estate or life lease retained by the transferor, until expiration  
9 or termination of the life estate or life lease. That portion of  
10 property transferred that is not subject to a life lease shall be  
11 adjusted under subsection (3).

12 (d) A transfer through foreclosure or forfeiture of a recorded  
13 instrument under chapter 31, 32, or 57 of the revised judicature  
14 act of 1961, 1961 PA 236, MCL 600.3101 to 600.3285 and MCL 600.5701  
15 to 600.5759, or through deed or conveyance in lieu of a foreclosure  
16 or forfeiture, until the mortgagee or land contract vendor  
17 subsequently transfers the property. If a mortgagee does not  
18 transfer the property within 1 year of the expiration of any  
19 applicable redemption period, the property shall be adjusted under  
20 subsection (3).

21 (e) A transfer by redemption by the person to whom taxes are  
22 assessed of property previously sold for delinquent taxes.

23 (f) A conveyance to a trust if the settlor or the settlor's  
24 spouse, or both, conveys the property to the trust and the sole  
25 present beneficiary of the trust is the settlor or the settlor's  
26 spouse, or both.

27 (g) A transfer pursuant to a judgment or order of a court of

1 record making or ordering a transfer, unless a specific monetary  
2 consideration is specified or ordered by the court for the  
3 transfer.

4 (h) A transfer creating or terminating a joint tenancy between  
5 2 or more persons if at least 1 of the persons was an original  
6 owner of the property before the joint tenancy was initially  
7 created and, if the property is held as a joint tenancy at the time  
8 of conveyance, at least 1 of the persons was a joint tenant when  
9 the joint tenancy was initially created and that person has  
10 remained a joint tenant since the joint tenancy was initially  
11 created. A joint owner at the time of the last transfer of  
12 ownership of the property is an original owner of the property. For  
13 purposes of this subdivision, a person is an original owner of  
14 property owned by that person's spouse.

15 (i) A transfer for security or an assignment or discharge of a  
16 security interest.

17 (j) A transfer of real property or other ownership interests  
18 among members of an affiliated group. As used in this subsection,  
19 "affiliated group" means 1 or more corporations connected by stock  
20 ownership to a common parent corporation. Upon request by the state  
21 tax commission, a corporation shall furnish proof within 45 days  
22 that a transfer meets the requirements of this subdivision. A  
23 corporation that fails to comply with a request by the state tax  
24 commission under this subdivision is subject to a fine of \$200.00.

25 (k) Normal public trading of shares of stock or other  
26 ownership interests that, over any period of time, cumulatively  
27 represent more than 50% of the total ownership interest in a

1 corporation or other legal entity and are traded in multiple  
2 transactions involving unrelated individuals, institutions, or  
3 other legal entities.

4 (l) A transfer of real property or other ownership interests  
5 among corporations, partnerships, limited liability companies,  
6 limited liability partnerships, or other legal entities if the  
7 entities involved are commonly controlled. Upon request by the  
8 state tax commission, a corporation, partnership, limited liability  
9 company, limited liability partnership, or other legal entity shall  
10 furnish proof within 45 days that a transfer meets the requirements  
11 of this subdivision. A corporation, partnership, limited liability  
12 company, limited liability partnership, or other legal entity that  
13 fails to comply with a request by the state tax commission under  
14 this subdivision is subject to a fine of \$200.00.

15 (m) A direct or indirect transfer of real property or other  
16 ownership interests resulting from a transaction that qualifies as  
17 a tax-free reorganization under section 368 of the internal revenue  
18 code, 26 USC 368. Upon request by the state tax commission, a  
19 property owner shall furnish proof within 45 days that a transfer  
20 meets the requirements of this subdivision. A property owner who  
21 fails to comply with a request by the state tax commission under  
22 this subdivision is subject to a fine of \$200.00.

23 (n) A transfer of qualified agricultural property, if the  
24 person to whom the qualified agricultural property is transferred  
25 files an affidavit with the assessor of the local tax collecting  
26 unit in which the qualified agricultural property is located and  
27 with the register of deeds for the county in which the qualified

1 agricultural property is located attesting that the qualified  
 2 agricultural property shall remain qualified agricultural property.  
 3 The affidavit under this subdivision shall be in a form prescribed  
 4 by the department of treasury. An owner of qualified agricultural  
 5 property shall inform a prospective buyer of that qualified  
 6 agricultural property that the qualified agricultural property is  
 7 subject to the recapture tax provided in the agricultural property  
 8 recapture act, 2000 PA 261, MCL 211.1001 to 211.1007, if the  
 9 qualified agricultural property is converted by a change in use. If  
 10 property ceases to be qualified agricultural property at any time  
 11 after being transferred, all of the following shall occur:

12 (i) The taxable value of that property shall be adjusted under  
 13 subsection (3) as of the December 31 in the year that the property  
 14 ceases to be qualified agricultural property.

15 (ii) The property is subject to the recapture tax provided for  
 16 under the agricultural property recapture act, 2000 PA 261, MCL  
 17 211.1001 to 211.1007.

18 (o) A transfer of qualified forest property, if the person to  
 19 whom the qualified forest property is transferred files ~~an~~**A**  
 20 **QUALIFIED FOREST TAXABLE VALUE** affidavit with the assessor of the  
 21 local tax collecting unit in which the qualified forest property is  
 22 located and with the register of deeds for the county in which the  
 23 qualified forest property is located attesting that the qualified  
 24 forest property shall remain qualified forest property. The  
 25 **QUALIFIED FOREST TAXABLE VALUE** affidavit under this subdivision  
 26 shall be in a form prescribed by the department of ~~treasury~~  
 27 **AGRICULTURE AND RURAL DEVELOPMENT. THE QUALIFIED FOREST TAXABLE**



1 VALUE AFFIDAVIT SHALL INCLUDE A LEGAL DESCRIPTION OF THE QUALIFIED  
2 FOREST PROPERTY, THE NAME OF THE NEW PROPERTY OWNER, THE YEAR THE  
3 TRANSFER OF THE PROPERTY OCCURRED, A STATEMENT INDICATING THAT THE  
4 PROPERTY OWNER IS ATTESTING THAT THE PROPERTY FOR WHICH THE  
5 EXEMPTION IS CLAIMED IS QUALIFIED FOREST PROPERTY AND WILL BE  
6 MANAGED ACCORDING TO THE APPROVED FOREST MANAGEMENT PLAN, AND ANY  
7 OTHER INFORMATION PERTINENT TO THE PARCEL AND THE PROPERTY OWNER.  
8 THE PROPERTY OWNER SHALL PROVIDE A COPY OF THE QUALIFIED FOREST  
9 TAXABLE VALUE AFFIDAVIT TO THE DEPARTMENT. THE DEPARTMENT SHALL  
10 PROVIDE 1 COPY OF THE QUALIFIED FOREST TAXABLE VALUE AFFIDAVIT TO  
11 THE LOCAL TAX COLLECTING UNIT, 1 COPY TO THE CONSERVATION DISTRICT,  
12 AND 1 COPY TO THE DEPARTMENT OF TREASURY. THESE COPIES MAY BE SENT  
13 ELECTRONICALLY. An owner of qualified forest property shall inform  
14 a prospective buyer of that qualified forest property that the  
15 qualified forest property is subject to the recapture tax provided  
16 in the qualified forest property recapture tax act, 2006 PA 379,  
17 MCL 211.1031 to 211.1036, if the qualified forest property is  
18 converted by a change in use. If property ceases to be qualified  
19 forest property at any time after being transferred, all of the  
20 following shall occur:

21 (i) The taxable value of that property shall be adjusted under  
22 subsection (3) as of the December 31 in the year that the property  
23 ceases to be qualified forest property.

24 (ii) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (iii), THE  
25 property is subject to the recapture tax provided for under the  
26 qualified forest property recapture tax act, 2006 PA 379, MCL  
27 211.1031 to 211.1036.

1           (iii) BEGINNING JANUARY 1, 2013 AND ENDING SEPTEMBER 30, 2013,  
2 OWNERS OF PROPERTY ENROLLED AS QUALIFIED FOREST PROPERTY PRIOR TO  
3 JANUARY 1, 2013 MAY EXECUTE A NEW QUALIFIED FOREST TAXABLE VALUE  
4 AFFIDAVIT WITH THE DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT.  
5 IF A LANDOWNER ELECTS NOT TO EXECUTE A QUALIFIED FOREST TAXABLE  
6 VALUE AFFIDAVIT, THE EXISTING AFFIDAVIT SHALL BE RESCINDED, WITHOUT  
7 SUBJECTING THE PROPERTY TO THE RECAPTURE TAX PROVIDED FOR UNDER THE  
8 QUALIFIED FOREST PROPERTY RECAPTURE TAX ACT, 2006 PA 379, MCL  
9 211.1031 TO 211.1036, AND THE TAXABLE VALUE OF THAT PROPERTY SHALL  
10 BE ADJUSTED UNDER SUBSECTION (3).

11           (p) Beginning on the effective date of the amendatory act that  
12 added this subdivision, a transfer of land, but not buildings or  
13 structures located on the land, which meets 1 or more of the  
14 following requirements:

15           (i) The land is subject to a conservation easement under  
16 subpart 11 of part 21 of the natural resources and environmental  
17 protection act, 1994 PA 451, MCL 324.2140 to 324.2144. As used in  
18 this subparagraph, "conservation easement" means that term as  
19 defined in section 2140 of the natural resources and environmental  
20 protection act, 1994 PA 451, MCL 324.2140.

21           (ii) A transfer of ownership of the land or a transfer of an  
22 interest in the land is eligible for a deduction as a qualified  
23 conservation contribution under section 170(h) of the internal  
24 revenue code, 26 USC 170.

25           (q) A transfer of real property or other ownership interests  
26 resulting from a consolidation or merger of a domestic nonprofit  
27 corporation that is a boy or girl scout or camp fire girls

1 organization, a 4-H club or foundation, a young men's Christian  
2 association, or a young women's Christian association and at least  
3 50% of the members of that organization or association are  
4 residents of this state.

5 (r) A change to the assessment roll or tax roll resulting from  
6 the application of section 16a of 1897 PA 230, MCL 455.16a.

7 (8) If all of the following conditions are satisfied, the  
8 local tax collecting unit shall revise the taxable value of  
9 qualified agricultural property taxable on the tax roll in the  
10 possession of that local tax collecting unit to the taxable value  
11 that qualified agricultural property would have had if there had  
12 been no transfer of ownership of that qualified agricultural  
13 property since December 31, 1999 and there had been no adjustment  
14 of that qualified agricultural property's taxable value under  
15 subsection (3) since December 31, 1999:

16 (a) The qualified agricultural property was qualified  
17 agricultural property for taxes levied in 1999 and each year after  
18 1999.

19 (b) The owner of the qualified agricultural property files an  
20 affidavit with the assessor of the local tax collecting unit under  
21 subsection (7)(n).

22 (9) If the taxable value of qualified agricultural property is  
23 adjusted under subsection (8), the owner of that qualified  
24 agricultural property shall not be entitled to a refund for any  
25 property taxes collected under this act on that qualified  
26 agricultural property before the adjustment under subsection (8).

27 (10) The register of deeds of the county where deeds or other

1 title documents are recorded shall notify the assessing officer of  
2 the appropriate local taxing unit not less than once each month of  
3 any recorded transaction involving the ownership of property and  
4 shall make any recorded deeds or other title documents available to  
5 that county's tax or equalization department. Unless notification  
6 is provided under subsection (6), the buyer, grantee, or other  
7 transferee of the property shall notify the appropriate assessing  
8 office in the local unit of government in which the property is  
9 located of the transfer of ownership of the property within 45 days  
10 of the transfer of ownership, on a form prescribed by the state tax  
11 commission that states the parties to the transfer, the date of the  
12 transfer, the actual consideration for the transfer, and the  
13 property's parcel identification number or legal description. Forms  
14 filed in the assessing office of a local unit of government under  
15 this subsection shall be made available to the county tax or  
16 equalization department for the county in which that local unit of  
17 government is located. This subsection does not apply to personal  
18 property except buildings described in section 14(6) and personal  
19 property described in section 8(h), (i), and (j).

20 (11) As used in this section:

21 (a) "Additions" means that term as defined in section 34d.

22 (b) "Beneficial use" means the right to possession, use, and  
23 enjoyment of property, limited only by encumbrances, easements, and  
24 restrictions of record.

25 (c) "Converted by a change in use" means that term as defined  
26 in the agricultural property recapture act, 2000 PA 261, MCL  
27 211.1001 to 211.1007.

1 (d) "Inflation rate" means that term as defined in section  
2 34d.

3 (e) "Losses" means that term as defined in section 34d.

4 (f) "Qualified agricultural property" means that term as  
5 defined in section 7dd.

6 (g) "Qualified forest property" means that term as defined in  
7 section 7jj[1].

8 Enacting section 1. This amendatory act does not take effect  
9 unless all of the following bills of the 96th Legislature are  
10 enacted into law:

11 (a) Senate Bill No. 1057.

12 (b) Senate Bill No. 1058.

13 (c) Senate Bill No. 1061.

14 (d) Senate Bill No. 1062.

15 (e) House Bill No. 4302.

16 (f) House Bill No. 4969.

17 (g) House Bill No. 4970.

18 Enacting section 2. This amendatory act takes effect January  
19 1, 2013.