

STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012

Introduced by Reps. Wayne Schmidt, Barnett, Bauer, Brown, Cavanagh, Constan, Darany, Dillon, Durhal, Foster, Haugh, Horn, Irwin, Lyons, McCann, Nathan, Oakes, Pettalia, Potvin, Rendon, Santana, Roy Schmidt, Smiley, Stallworth, Stapleton and Talabi

ENROLLED HOUSE BILL No. 5646

AN ACT to amend 2003 PA 260, entitled "An act to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to clarify the ownership of certain parcels of property; to prescribe the powers and duties of certain local government officials; and to provide penalties," by amending section 5 (MCL 211.1025) and by adding section 5a; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

Sec. 5. (1) Except as otherwise provided in section 5a, there is levied upon every owner of eligible tax reverted property a specific tax to be known as the eligible tax reverted property specific tax.

(2) The amount of the eligible tax reverted property specific tax in each year is the amount of tax that would have been collected on that parcel under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155, if that parcel was not exempt under section 3. An owner of eligible tax reverted property that is a principal residence may claim an exemption for that portion of the specific tax attributable to the tax levied by a local school district for school operating purposes to the extent provided under section 1211 of the revised school code, 1976 PA 451, MCL 380.1211, if an owner of that eligible tax reverted property claims or has claimed an exemption for the property as provided in section 7cc of the general property tax act, 1893 PA 206, MCL 211.7cc.

(3) Except as otherwise provided in section 6, the eligible tax reverted property specific tax shall be collected, disbursed, and assessed in accordance with this act.

(4) The eligible tax reverted property specific tax is an annual tax, payable at the same times, in the same installments, and to the same officer or officers as taxes imposed under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155, and the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, are payable. Except as otherwise provided in this section, the officer or officers shall disburse the eligible tax reverted property specific tax payments received by the officer or officers each year as follows:

(a) Fifty percent of the eligible tax reverted property specific tax to and among this state and cities, townships, villages, school districts, counties, or other taxing units, at the same times and in the same proportions as required by law for the disbursement of taxes collected under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

(b) Fifty percent of the eligible tax reverted property specific tax to the authority that sold or otherwise conveyed the property under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774, which sale or conveyance caused the property to be eligible tax reverted property. The eligible tax reverted property specific tax disbursed under this subdivision shall only be used by the authority for 1 or more of the following:

(i) For the purposes authorized under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774, including, but not limited to, costs to clear, quiet, or defend title to property held by the authority.

(ii) To repay a loan made to the authority under section 2f of 1855 PA 105, MCL 21.142f.

(5) For intermediate school districts receiving state aid under sections 56, 62, and 81 of the state school aid act of 1979, 1979 PA 94, MCL 388.1656, 388.1662, and 388.1681, of the amount of eligible tax reverted property specific tax that would otherwise be disbursed to an intermediate school district, all or a portion, to be determined on the basis of the tax rates being utilized to compute the amount of state aid, shall be paid to the state treasury to the credit of the state school aid fund established by section 11 of article IX of the state constitution of 1963.

(6) The amount of eligible tax reverted property specific tax described in subsection (2) that would otherwise be disbursed to a local school district for school operating purposes shall be paid instead to the state treasury and credited to the state school aid fund established by section 11 of article IX of the state constitution of 1963.

(7) The officer or officers shall send a copy of the amount of disbursement made to each unit under this section to the commission on a form provided by the commission.

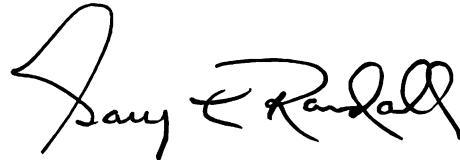
(8) Eligible tax reverted property located in a renaissance zone under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, is exempt from the eligible tax reverted property specific tax levied under this act to the extent and for the duration provided pursuant to the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, except for that portion of the eligible tax reverted property specific tax attributable to a tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff. The eligible tax reverted property specific tax calculated under this subsection shall be disbursed proportionately to the taxing unit or units that levied the tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff.

Sec. 5a. (1) The authority may exempt eligible tax reverted property from the eligible tax reverted property specific tax if the exemption will assist in the creation of jobs, investment, or other economic development benefits in the city, village, or township in which the eligible tax reverted property is located.

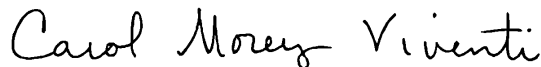
(2) Eligible tax reverted property exempt from the eligible tax reverted property specific tax under subsection (1) is subject to the collection of taxes under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

Enacting section 1. Section 6 of the tax reverted clean title act, 2003 PA 260, MCL 211.1026, is repealed.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor