

HOUSE BILL No. 4022

January 13, 2011, Introduced by Reps. Agema, Yonker, Hooker, Somerville, Knollenberg
and Damrow and referred to the Committee on Tax Policy.

A bill to amend 1933 PA 167, entitled
"General sales tax act,"
by amending section 25 (MCL 205.75), as amended by 2010 PA 160.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 25. (1) All money received and collected under this act
2 shall be deposited by the department in the state treasury to the
3 credit of the general fund, except as otherwise provided in this
4 section.

5 (2) Fifteen percent of the collections of the tax imposed at a
6 rate of 4% shall be distributed to cities, villages, and townships
7 pursuant to the Glenn Steil state revenue sharing act of 1971, 1971
8 PA 140, MCL 141.901 to 141.921.

9 (3) Sixty percent of the collections of the tax imposed at a
10 rate of 4% shall be deposited in the state school aid fund

1 established in section 11 of article IX of the state constitution
2 of 1963 and distributed as provided by law. In addition, all of the
3 collections of the tax imposed at the additional rate of 2%
4 approved by the electors March 15, 1994 shall be deposited in the
5 state school aid fund.

6 (4) For the fiscal year ending September 30, 1988 and each
7 fiscal year ending after September 30, 1988, of the 25% of the
8 collections of the general sales tax imposed at a rate of 4%
9 directly or indirectly on fuels sold to propel motor vehicles upon
10 highways, on the sale of motor vehicles, and on the sale of the
11 parts and accessories of motor vehicles by new and used car
12 businesses, used car businesses, accessory dealer businesses, and
13 gasoline station businesses as classified by the department of
14 treasury remaining after the allocations and distributions are made
15 pursuant to subsections (2) and (3), the following amounts shall be
16 deposited each year into the respective funds:

17 (a) For the fiscal year ending September 30, 2003 and for the
18 fiscal year ending September 30, 2006 and each fiscal year ending
19 after September 30, 2006, not less than 27.9% to the comprehensive
20 transportation fund. For the fiscal year ending September 30, 2004
21 through the fiscal year ending September 30, 2005, not less than
22 24% to the comprehensive transportation fund. For the fiscal year
23 ending September 30, 2006 only, the amount deposited to the
24 comprehensive transportation fund under this subdivision shall be
25 reduced by \$11,100,000.00. For the fiscal year ending September 30,
26 2007 only, the amount deposited to the comprehensive transportation
27 fund under this subdivision shall be reduced by \$10,270,000.00. For

1 the fiscal year ending September 30, 2008 only, the amount
2 deposited to the comprehensive transportation fund under this
3 subdivision shall be reduced by \$5,000,000.00 and shall be
4 deposited in the state treasury to the credit of the general fund.
5 For the fiscal year ending September 30, 2010 only, the amount
6 deposited to the comprehensive transportation fund under this
7 subdivision shall be reduced by \$5,700,000.00 and shall be
8 deposited in the state treasury to the credit of the general fund.

9 (b) The balance to the state general fund.

10 (5) ~~After~~ **PRIOR TO THE EFFECTIVE DATE OF THE AMENDATORY ACT**
11 **THAT ADDED SUBSECTION (6), AFTER** the allocations and distributions
12 are made pursuant to subsections (2) and (3), an amount equal to
13 the collections of the tax imposed at a rate of 4% under this act
14 from the sale at retail of computer software as defined in section
15 1a shall be deposited in the Michigan health initiative fund
16 created in section 5911 of the public health code, 1978 PA 368, MCL
17 333.5911, and shall be considered in addition to, and is not
18 intended as a replacement for any other money appropriated to the
19 department of community health. The funds deposited in the Michigan
20 health initiative fund on an annual basis shall not be less than
21 \$9,000,000.00 or more than \$12,000,000.00.

22 (6) **BEGINNING ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT**
23 **ADDED THIS SUBSECTION, AFTER THE ALLOCATIONS AND DISTRIBUTIONS ARE**
24 **MADE PURSUANT TO SUBSECTIONS (2) AND (3), AN AMOUNT EQUAL TO THE**
25 **COLLECTIONS OF THE TAX IMPOSED AT A RATE OF 4% UNDER THIS ACT FROM**
26 **THE SALE AT RETAIL OF COMPUTER SOFTWARE AS DEFINED IN SECTION 1A**
27 **SHALL BE DEPOSITED IN THE STATE AERONAUTICS FUND CREATED IN SECTION**

1 34 OF THE AERONAUTICS CODE OF THE STATE OF MICHIGAN, 1945 PA 327,
2 MCL 259.34, AND SHALL BE EXPENDED, ON APPROPRIATION, ONLY FOR THOSE
3 PURPOSES AUTHORIZED IN THE AERONAUTICS CODE OF THE STATE OF
4 MICHIGAN, 1945 PA 327, MCL 259.1 TO 259.208.

5 (7) ~~(6)~~—The balance in the state general fund shall be
6 disbursed only on an appropriation or appropriations by the
7 legislature.