

# HOUSE BILL No. 4521

April 12, 2011, Introduced by Reps. Agema, Horn, Cotter, Huuki, McMillin, Jenkins, Olson, Potvin and Opsommer and referred to the Committee on Transportation.

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) FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2011 AND EACH  
11 FISCAL YEAR ENDING AFTER SEPTEMBER 30, 2011, AFTER THE ALLOCATIONS  
12 AND DISTRIBUTIONS ARE MADE PURSUANT TO SUBSECTIONS (2) AND (3), THE  
13 COLLECTIONS OF THE TAX IMPOSED AT A RATE OF 4% UNDER THIS ACT FROM  
14 THE SALE AT RETAIL OF GASOLINE SHALL BE DISTRIBUTED, BY  
15 APPROPRIATION, FOR DEPOSIT INTO THE STATE TRUNK LINE FUND. FOR THE  
16 FISCAL YEAR ENDING SEPTEMBER 30, 2011 AND EACH FISCAL YEAR ENDING  
17 AFTER SEPTEMBER 30, 2011, THE FUNDS DEPOSITED INTO THE STATE TRUNK  
18 LINE FUND UNDER THIS SUBSECTION SHALL NOT BE LESS THAN  
19 \$70,000,000.00. AS USED IN THIS SUBSECTION, "STATE TRUNK LINE  
20 FUND" MEANS THE STATE TRUNK LINE FUND CREATED IN SECTION 11 OF 1951  
21 PA 51, MCL 247.661.

22 (6) ~~(5)~~ After the allocations and distributions are made  
23 pursuant to subsections (2) and (3), an amount equal to the  
24 collections of the tax imposed at a rate of 4% under this act from  
25 the sale at retail of computer software as defined in section 1a  
26 shall be deposited in the Michigan health initiative fund created  
27 in section 5911 of the public health code, 1978 PA 368, MCL

1 333.5911, and shall be considered in addition to, and is not  
2 intended as a replacement for any other money appropriated to the  
3 department of community health. The funds deposited in the Michigan  
4 health initiative fund on an annual basis shall not be less than  
5 \$9,000,000.00 or more than \$12,000,000.00.

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