

# HOUSE BILL No. 5008

October 21, 2015, Introduced by Reps. Irwin, Yanez, Greig, Dianda, Robinson, Zemke, Driskell, Plawecki, Faris, Pagan, Geiss, Sarah Roberts and Hovey-Wright and referred to the Committee on Tax Policy.

A bill to amend 1893 PA 206, entitled  
"The general property tax act,"  
(MCL 211.1 to 211.155) by adding section 7xx.

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

1           **SEC. 7XX. AN ELIGIBLE ENERGY CONVERSION DEVICE FOR WHICH**  
2 **INSTALLATION IS COMPLETED AFTER THE EFFECTIVE DATE OF THE**  
3 **AMENDATORY ACT THAT ADDED THIS SECTION AND BEFORE JANUARY 1, 2016**  
4 **OR, IN THE CASE OF A WIND ENERGY CONVERSION DEVICE INSTALLED ON**  
5 **REAL PROPERTY CLASSIFIED AS RESIDENTIAL REAL PROPERTY UNDER SECTION**  
6 **34C, AFTER DECEMBER 31, 2007 AND BEFORE JANUARY 1, 2016 IS EXEMPT**  
7 **FROM THE COLLECTION OF TAXES UNDER THIS ACT. AS USED IN THIS**  
8 **SECTION:**

9           **(A) "BIOMASS" MEANS THAT TERM AS DEFINED IN SECTION 3 OF THE**  
10 **CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT, 2008 PA 295, MCL**  
11 **460.1003.**

1 (B) "ELIGIBLE ENERGY CONVERSION DEVICE" MEANS A SMALL-SCALE  
2 SOLAR, WIND, GEOTHERMAL, BIOMASS, OR WATER ENERGY CONVERSION DEVICE  
3 WHICH MEETS ALL STANDARDS FOR A SOLAR, WIND, GEOTHERMAL, OR WATER  
4 ENERGY CONVERSION DEVICE PRESCRIBED BY THE MICHIGAN NEXT ENERGY  
5 AUTHORITY OR A SMALL-SCALE BIOMASS CONVERSION DEVICE THAT MEETS THE  
6 STANDARDS SET FORTH IN CHAPTER 85 OF THE CLEAN AIR ACT, 42 USC 7401  
7 TO 7671Q, AND IS CERTIFIED BY THE UNITED STATES ENVIRONMENTAL  
8 PROTECTION AGENCY.

9 (C) "MICHIGAN NEXT ENERGY AUTHORITY" MEANS THE MICHIGAN NEXT  
10 ENERGY AUTHORITY CREATED IN SECTION 3 OF THE MICHIGAN NEXT ENERGY  
11 AUTHORITY ACT, 2002 PA 593, MCL 207.823.

12 (D) "SMALL-SCALE" MEANS HAVING A NAMEPLATE GENERATING CAPACITY  
13 OF NOT MORE THAN 150 KILOWATTS.

14 (E) "SOLAR, WIND, GEOTHERMAL, BIOMASS, OR WATER ENERGY  
15 CONVERSION DEVICE" MEANS A MECHANISM OR SERIES OF MECHANISMS  
16 DESIGNED PRIMARILY TO COLLECT, CONVERT, TRANSFER, OR STORE FOR  
17 FUTURE USE SOLAR, WIND, GEOTHERMAL, BIOMASS, OR WATER ENERGY FOR  
18 THE PURPOSES OF HEATING, COOLING, OR ELECTRIC SUPPLY, BUT NOT THOSE  
19 PARTS OF A HEATING, COOLING, OR ELECTRIC SUPPLY SYSTEM THAT WOULD  
20 BE REQUIRED REGARDLESS OF THE ENERGY SOURCE BEING UTILIZED.  
21 HOWEVER, A WATER ENERGY CONVERSION DEVICE INCLUDES ONLY THOSE  
22 DEVICES THAT UTILIZE GROUNDWATER HEAT PUMPS OR LOW-HEAD HYDRO-  
23 ENERGY CONVERSION SYSTEMS. LOW-HEAD HYDRO-ENERGY CONVERSION SYSTEMS  
24 DO NOT INCLUDE PUBLIC UTILITY PROPERTY.