

HOUSE BILL No. 5428

March 3, 2016, Introduced by Reps. Chatfield, Cole and Graves and referred to the Committee on Tax Policy.

A bill to amend 1933 PA 167, entitled
"General sales tax act,"
(MCL 205.51 to 205.78) by adding sections 4ff, 4gg, and 4hh.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 4FF. (1) SUBJECT TO SUBSECTION (2), A PERSON SUBJECT TO
2 THE TAX UNDER THIS ACT MAY EXCLUDE FROM THE GROSS PROCEEDS USED FOR
3 THE COMPUTATION OF THE TAX THE SALE OF ANY OF THE FOLLOWING ITEMS
4 IF THE SALE IS MADE AT A PHYSICAL LOCATION IN THIS STATE BETWEEN
5 12:01 A.M. ON SEPTEMBER 2, 2016 AND 11:59 P.M. ON SEPTEMBER 5,
6 2016:

7 (A) CLOTHING IF THE SALES PRICE OF EACH INDIVIDUAL ITEM IS NOT
8 GREATER THAN \$100.00.

9 (B) SCHOOL SUPPLIES IF THE SALES PRICE OF EACH INDIVIDUAL ITEM
10 IS NOT GREATER THAN \$20.00.

11 (C) A PERSONAL COMPUTER PURCHASED FOR NONCOMMERCIAL HOME OR

1 PERSONAL USE, IF THE SALES PRICE, LESS ANY MANUFACTURER'S REBATE,
2 OF EACH INDIVIDUAL PERSONAL COMPUTER IS NOT GREATER THAN \$1,000.00.

3 (D) A PERSONAL COMPUTER ACCESSORY PURCHASED FOR NONCOMMERCIAL
4 HOME OR PERSONAL USE, IF THE SALES PRICE, LESS ANY MANUFACTURER'S
5 REBATE, OF EACH INDIVIDUAL PERSONAL COMPUTER ACCESSORY IS NOT
6 GREATER THAN \$750.00.

7 (2) THE EXEMPTION IN SUBSECTION (1) DOES NOT APPLY TO THE
8 FOLLOWING:

9 (A) CLOTHING ACCESSORIES OR EQUIPMENT.

10 (B) PROTECTIVE, SPORT, OR RECREATIONAL EQUIPMENT.

11 (C) ANY ITEM SOLD FOR USE IN A TRADE OR BUSINESS.

12 (D) FURNITURE.

13 (3) AS USED IN THIS SECTION:

14 (A) "CLOTHING" MEANS ALL HUMAN WEARING APPAREL SUITABLE FOR
15 GENERAL USE.

16 (B) "CLOTHING ACCESSORIES OR EQUIPMENT" MEANS INCIDENTAL ITEMS
17 WORN ON THE PERSON OR IN CONJUNCTION WITH CLOTHING.

18 (C) "MONITOR" DOES NOT INCLUDE A DEVICE THAT INCLUDES A
19 TELEVISION TUNER.

20 (D) "PERSONAL COMPUTER" MEANS AN ELECTRONIC DEVICE THAT
21 ACCEPTS INFORMATION IN DIGITAL OR SIMILAR FORM AND MANIPULATES THAT
22 INFORMATION FOR A RESULT BASED ON A SEQUENCE OF INSTRUCTIONS.
23 PERSONAL COMPUTER INCLUDES, BUT IS NOT LIMITED TO, AN ELECTRONIC
24 BOOK READER OR A LAPTOP, DESKTOP, HANDHELD, TABLET, OR TOWER
25 COMPUTER. PERSONAL COMPUTER DOES NOT INCLUDE A CELLULAR TELEPHONE,
26 VIDEO GAME CONSOLE, DIGITAL MEDIA RECEIVER, OR ANY OTHER DEVICE NOT
27 PRIMARILY DESIGNED TO PROCESS DATA.

1 (E) "PERSONAL COMPUTER ACCESSORY" INCLUDES A KEYBOARD, MOUSE,
2 PERSONAL DIGITAL ASSISTANT, MONITOR, PERIPHERAL DEVICE, MODEM,
3 ROUTER, AND NONRECREATIONAL SOFTWARE, REGARDLESS OF WHETHER THE
4 PERSONAL COMPUTER ACCESSORY IS USED IN ASSOCIATION WITH A PERSONAL
5 COMPUTER. PERSONAL COMPUTER ACCESSORY DOES NOT INCLUDE ANY SYSTEM,
6 DEVICE, SOFTWARE, OR PERIPHERAL DEVICE THAT IS DESIGNED OR INTENDED
7 PRIMARILY FOR RECREATIONAL USE.

8 (F) "PROTECTIVE, SPORT, OR RECREATIONAL EQUIPMENT" MEANS ITEMS
9 DESIGNED FOR HUMAN USE AND WORN IN CONJUNCTION WITH AN ATHLETIC OR
10 RECREATIONAL ACTIVITY AND THAT ARE NOT SUITABLE FOR GENERAL USE.

11 (G) "SCHOOL SUPPLIES" MEANS PENS, PENCILS, BINDERS, NOTEBOOKS,
12 REFERENCE BOOKS, BOOK BAGS, LUNCH BOXES, CALCULATORS, AND SIMILAR
13 ITEMS.

14 SEC. 4GG. (1) A PERSON SUBJECT TO THE TAX UNDER THIS ACT MAY
15 EXCLUDE FROM THE GROSS PROCEEDS USED FOR THE COMPUTATION OF THE TAX
16 THE SALE OF THE FOLLOWING PURE MICHIGAN TOURISM PRODUCTS IF THE
17 SALE IS MADE AT A PHYSICAL LOCATION IN THIS STATE BETWEEN 12:01
18 A.M. ON JUNE 3, 2016 AND 11:59 P.M. ON JUNE 5, 2016:

19 (A) CAMPING SUPPLIES IF THE SALES PRICE OF EACH INDIVIDUAL
20 ITEM IS NOT GREATER THAN \$100.00.

21 (B) FISHING SUPPLIES IF THE SALES PRICE OF EACH INDIVIDUAL
22 ITEM IS NOT GREATER THAN \$100.00.

23 (C) NONMOTORIZED WATERCRAFT AND ACCESSORIES IF THE SALES PRICE
24 OF EACH INDIVIDUAL ITEM IS NOT GREATER THAN \$750.00.

25 (D) OFF-ROAD VEHICLES IF THE SALES PRICE OF EACH INDIVIDUAL
26 ITEM IS NOT GREATER THAN \$750.00.

27 (2) AS USED IN THIS SECTION:

1 (A) "CAMPING SUPPLIES" MEANS TANGIBLE PERSONAL PROPERTY
2 DESIGNED AND USED FOR CAMPING. CAMPING SUPPLIES INCLUDE, BUT ARE
3 NOT LIMITED TO, ALL OF THE FOLLOWING:

4 (i) TENTS.

5 (ii) SLEEPING BAGS.

6 (iii) BACKPACKS.

7 (iv) FLASHLIGHTS.

8 (v) TARPS AND TIE DOWNS.

9 (vi) CAMPING STOVES.

10 (vii) LANTERNS.

11 (viii) PROPANE, KEROSENE, AND CAMP FUEL.

12 (ix) AIR MATTRESSES, COTS, SLEEPING MATS, AND PADS.

13 (x) CAMP COOKING UTENSILS.

14 (xi) SUNSCREEN AND INSECT SPRAY.

15 (xii) MISCELLANEOUS GEAR MANUFACTURED AND MARKETING PRIMARILY
16 FOR USE IN CAMPING.

17 (B) "FISHING SUPPLIES" MEANS TANGIBLE PERSONAL PROPERTY
18 DESIGNED AND USED FOR FISHING. FISHING SUPPLIES INCLUDE, BUT ARE
19 NOT LIMITED TO, ALL OF THE FOLLOWING:

20 (i) FISHING POLES AND RODS.

21 (ii) FISHING REELS.

22 (iii) FISHING LURES.

23 (iv) FISHING BAIT, INCLUDING LIVE, NATURAL, AND ARTIFICIAL
24 BAIT.

25 (v) FISHING HOOKS.

26 (vi) FISHING STRING AND LINE.

27 (vii) FILET KNIVES AND OTHER KNIVES THAT ARE MANUFACTURED AND

MARKETED PRIMARILY FOR USE IN FISHING. FISHING KNIVES DO NOT
INCLUDE KNIVES PURCHASED FOR HOUSEHOLD USE.

(viii) NETS THAT ARE MANUFACTURED AND MARKETED PRIMARILY FOR
USE IN FISHING.

(ix) MISCELLANEOUS GEAR THAT IS MANUFACTURED AND MARKETED
PRIMARILY FOR USE IN FISHING.

(C) "NONMOTORIZED WATERCRAFT AND ACCESSORIES" INCLUDES, BUT IS
NOT LIMITED TO, ALL OF THE FOLLOWING:

(i) CANOES.

(ii) KAYAKS.

(iii) PIROGUES.

(iv) INFLATABLE RAFTS, KAYAKS, AND OTHER INFLATABLE
WATERCRAFT.

(v) PADDLE BOARDS.

(vi) LIFE VESTS AND PERSONAL FLOTATION DEVICES.

(vii) PADDLES.

(D) "OFF-ROAD VEHICLES" INCLUDES, BUT IS NOT LIMITED TO, ALL
OF THE FOLLOWING:

(i) ALL-TERRAIN VEHICLES.

(ii) GOLF CARTS.

(iii) SNOWMOBILES.

(iv) UTILITY TASK VEHICLES.

SEC. 4HH. (1) A PERSON SUBJECT TO THE TAX UNDER THIS ACT MAY
EXCLUDE FROM THE GROSS PROCEEDS USED FOR THE COMPUTATION OF THE TAX
THE SALE OF THE FOLLOWING HUNTING-RELATED PRODUCTS IF THE SALE IS
MADE AT A PHYSICAL LOCATION IN THIS STATE BETWEEN 12:01 A.M. ON
NOVEMBER 4, 2016 AND 11:59 P.M. ON NOVEMBER 6, 2016:

1 (A) AMMUNITION IF THE SALES PRICE OF EACH INDIVIDUAL ITEM IS
2 NOT GREATER THAN \$50.00.

3 (B) FIREARMS IF THE SALES PRICE OF EACH INDIVIDUAL ITEM IS NOT
4 GREATER THAN \$750.00.

5 (C) BOWS AND CROSSBOWS IF THE SALES PRICE OF EACH INDIVIDUAL
6 ITEM IS NOT GREATER THAN \$750.00.

7 (D) ARROWS AND BOLTS IF THE SALES PRICE OF EACH INDIVIDUAL
8 ITEM IS NOT GREATER THAN \$50.00.

9 (E) HUNTING SUPPLIES IF THE SALES PRICE OF EACH INDIVIDUAL
10 ITEM IS NOT GREATER THAN \$100.00.

11 (2) AS USED IN THIS SECTION:

12 (A) "AMMUNITION" MEANS ANY PROJECTILE WITH A FUSE, PROPELLING
13 CHARGE, OR PRIMER THAT IS FIRED FROM A FIREARM, WHICH MAY BE
14 LEGALLY SOLD OR PURCHASED.

15 (B) "FIREARM" MEANS A SHOTGUN, RIFLE, PISTOL, REVOLVER, OR
16 OTHER HANDGUN, WHICH MAY BE LEGALLY SOLD OR PURCHASED.

17 (C) "HUNTING SUPPLIES" MEANS TANGIBLE PERSONAL PROPERTY
18 DESIGNED AND USED FOR HUNTING. HUNTING SUPPLIES INCLUDE, BUT ARE
19 NOT LIMITED TO, ALL OF THE FOLLOWING:

20 (i) QUIVERS.

21 (ii) ANIMAL FEED MANUFACTURED AND MARKETING PRIMARILY FOR
22 CONSUMPTION BY GAME THAT CAN BE LEGALLY HUNTED.

23 (iii) BAGS TO CARRY GAME OR HUNTING SUPPLIES.

24 (iv) FLOAT TUBES.

25 (v) BINOCULARS AND RANGE FINDERS.

26 (vi) FIREARM, BOW, AND CROSSBOW CASES.

27 (vii) HUNTING KNIVES THAT ARE MANUFACTURED AND MARKETING

1 PRIMARYLY FOR USE IN HUNTING. HUNTING KNIVES DO NOT INCLUDE KNIVES
2 PURCHASED FOR HOUSEHOLD USE.

3 (viii) DECOYS.

4 (ix) TREE STANDS.

5 (x) BLINDS.

6 (xi) HUNTING OPTICS, INCLUDING, BUT NOT LIMITED TO, TELESCOPIC
7 SIGHTS, OPTICAL SIGHTS, AND IMPACT-RESISTANT SHOOTING GLASSES.

8 (xii) HEARING PROTECTION AND ENHANCEMENT DEVICES.

9 (xiii) HOLSTERS.

10 (xiv) SLINGS.

11 (xv) MISCELLANEOUS ACCESSORIES AND EQUIPMENT MANUFACTURED AND
12 MARKETED PRIMARILY FOR USE IN HUNTING.