

SENATE BILL NO. 1218

November 12, 2020, Introduced by Senators SCHMIDT, HORN and MOSS and referred to the Committee on Economic and Small Business Development.

A bill to amend 1953 PA 189, entitled
"An act to provide for the taxation of lessees and users of tax-
exempt property,"
by amending section 1 (MCL 211.181), as amended by 1998 PA 244.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) Except as provided in this section, if real
2 property exempt for any reason from ad valorem property taxation is
3 leased, loaned, or otherwise made available to and used by a
4 private individual, association, or corporation in connection with

1 a business conducted for profit, the lessee or user of the real
2 property is subject to taxation in the same amount and to the same
3 extent as though the lessee or user owned the real property.

4 (2) Subsection (1) does not apply to ~~all~~**any** of the following:

5 (a) Federal property for which payments are made instead of ad
6 valorem property taxes in amounts equivalent to taxes that might
7 otherwise be lawfully assessed or property of a state-supported
8 educational institution, enumerated in section 4 of article VIII of
9 the state constitution of 1963.

10 (b) Property that is used as a concession at a public airport,
11 park, market, or similar property and that is available for use by
12 the general public.

13 (c) Property that is used by the lessee or user only in
14 conjunction with a county fair, community fair, 4-H fair, or state
15 fair of this state, or in conjunction with a special event for
16 which the lessee or user pays a fee to the county fair, community
17 fair, 4-H fair, or state fair. As used in this subdivision,
18 "special event" means an event during which property is occupied by
19 the lessee or user for not more than 14 consecutive days.

20 (d) For tax days before December 31, 1985, property that is
21 used by the lessee or user in such a manner that the city or
22 township in which the property is located receives revenue under
23 section 17 of the horse racing law of 1995, 1995 PA 279, MCL
24 431.317.

25 (e) Real property located in a renaissance zone, except a
26 casino, to the extent and for the duration provided in the Michigan
27 renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, except
28 a special assessment or a tax described in section 7ff(2) of the
29 general property tax act, 1893 PA 206, MCL 211.7ff. As used in this

1 subdivision, "casino" means a casino or a parking lot, hotel,
2 motel, or retail store owned or operated by a casino, an affiliate,
3 or an affiliated company, regulated by this state pursuant to the
4 Michigan ~~gaming control and revenue act, the Initiated Law of 1996,~~
5 **Gaming Control and Revenue Act, 1996 IL 1**, MCL 432.201 to
6 ~~432.216.~~**432.226.**

7 **(f) Property that qualifies as a public bridge facility that**
8 **is used by a concessionaire pursuant to a public-private agreement**
9 **entered into with a city under section 5k of the home rule city**
10 **act, 1909 PA 279, MCL 117.5k. As used in this subdivision,**
11 **"concessionaire", "public bridge facility", and "public-private**
12 **agreement" mean those terms as defined in section 5k of the home**
13 **rule city act, 1909 PA 279, MCL 117.5k.**

14 Enacting section 1. This amendatory act does not take effect
15 unless all of the following bills of the 100th Legislature are
16 enacted into law:

17 (a) Senate Bill No. 1215.

18

19 (b) Senate Bill No. 1217.

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