

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2022**

Introduced by Senators Bumstead, Daley, McBroom, Wozniak, Outman, Zorn, Johnson,
VanderWall, Schmidt and Santana

ENROLLED SENATE BILL No. 784

AN ACT to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 7b (MCL 211.7b), as amended by 2013 PA 161.

The People of the State of Michigan enact:

Sec. 7b. (1) A disabled veteran, the widow or widower of a disabled veteran, or the widow or widower of a veteran killed in action who wants to defer collection of his or her property taxes and authorize the local tax collecting unit to claim the homestead credit provided for in section 521 of the income tax act of 1967, 1967 PA 281, MCL 206.521, on his or her behalf must file an affidavit under this section, in a form as prescribed by the department of treasury, with the local tax collecting unit in which the homestead is located. The applicant may file the affidavit anytime in the calendar year during which the property taxes subject to the credit are levied. The affidavit must include all of the following:

- (a) A description of the property for which the credit is claimed.
- (b) A statement that the property described in subdivision (a) is owned and used by the applicant as his or her homestead.
- (c) A statement that the applicant is a disabled veteran, the widow or widower of a disabled veteran, or the widow or widower of a veteran killed in action.
- (d) A statement authorizing the local tax collecting unit to claim the homestead credit under section 521 of the income tax act of 1967, 1967 PA 281, MCL 206.521, on behalf of the applicant.
- (e) A statement authorizing the department of treasury to remit direct payment of the credit claimed on his or her behalf directly to the local tax collecting unit.

(f) Supporting documentation for the information described in this subsection as required by the local tax collecting unit pursuant to guidelines provided by the department of treasury. For purposes of documentation in support of the statement required in subdivision (c), if the disability status of a veteran is established by a disability rating provided in writing by the United States Department of Veterans Affairs prior to the year in which the affidavit is filed, the affidavit must include a statement that the disability rating is the veteran's most recent disability rating and has not changed since it was initially provided.

(2) The department of treasury shall provide local tax collecting units with informational materials that a local tax collecting unit shall distribute to applicants who file affidavits under subsection (1). The informational materials must explain how an applicant's affidavit will be processed and how the applicant's tax liability will be handled under subsections (3) to (6).

(3) A local tax collecting unit that receives an affidavit filed under subsection (1) shall do both of the following:

(a) Defer collecting any property taxes levied on the homestead during the calendar year in which the affidavit was filed until 1 of the following:

(i) This state pays those property taxes under section 521 of the income tax act of 1967, 1967 PA 281, MCL 206.521.

(ii) This state rejects the claim for the credit under section 521 of the income tax act of 1967, 1967 PA 281, MCL 206.521.

(b) Before February 1 of the year immediately succeeding the calendar year in which the affidavit was filed, all of the following:

(i) Provide the department of treasury with a copy of the affidavit.

(ii) Provide the department of treasury with the information necessary to determine the amount of the property taxes deferred on the applicant's homestead for the calendar year for which the affidavit was filed and the credit is being claimed.

(iii) File a claim for the homestead credit under section 521 of the income tax act of 1967, 1967 PA 281, MCL 206.521, on behalf of the applicant who filed the affidavit, and request payment of that credit. The filing under this subparagraph, and the provision of documentation and information under subparagraphs (i) and (ii), must be done in a form and manner prescribed by the department of treasury. However, the department shall not require, but may encourage, local tax collecting units to make their submissions electronically.

(4) Except as otherwise provided in this subsection, property taxes deferred under subsection (3)(a) are not subject to penalties or interest for the period of deferment. If this state rejects the claim for the credit under subsection (3)(a)(ii), any unpaid balance becomes due and payable on the date of the rejection, and 90 days after the rejection any remaining unpaid balance is subject to penalties and interest consistent with this act.

(5) Upon this state's payment of property taxes, or rejection of a claim for the credit, as described in subsection (3)(a), the local tax collecting unit shall provide written notification to the applicant who filed the affidavit for the credit under subsection (1) of that payment or rejection, the amount of any unpaid balance due and payable under subsection (4), and the date by which that unpaid balance must be paid before it is subject to the penalties and interest described in subsection (4).

(6) Payments made by this state under section 521 of the income tax act of 1967, 1967 PA 281, MCL 206.521, for property taxes collected under this act are considered taxes paid by the disabled veteran, the widow or widower of a disabled veteran, or the widow or widower of a veteran killed in action.

(7) As used in this section:

(a) "Disabled veteran" means a veteran who meets 1 of the following criteria:

(i) Has been determined by the United States Department of Veterans Affairs to be permanently and totally disabled as a result of military service and entitled to veterans' benefits at the 100% rate.

(ii) Has been determined by the United States Department of Veterans Affairs to be entitled to veterans' benefits based on a rating equal to or greater than 50% disabled and less than 100% permanently and totally disabled.

(iii) Has a certificate from the United States Department of Veterans Affairs certifying that he or she is receiving or has received pecuniary assistance due to disability for specially adapted housing.

(iv) Has been rated by the United States Department of Veterans Affairs as individually unemployable.

(b) "Veteran" means that term as defined in section 1 of 1965 PA 190, MCL 35.61.

(c) "Widow or widower of a disabled veteran" means the unmarried surviving spouse of a disabled veteran as defined in subdivision (a)(i), (ii), or (iv) who was eligible for 1 of the following when he or she died:

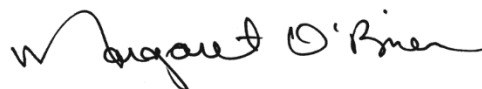
(i) If the death occurred before December 31, 2022, the exemption provided in this section before December 31, 2022, whether or not the exemption had previously been granted to the decedent.

(ii) If the death occurred on or after December 31, 2022, the homestead credit provided in section 521 of the income tax act of 1967, 1967 PA 281, MCL 206.521, on and after December 31, 2022, whether or not the credit had previously been granted to the decedent.

(d) "Widow or widower of a veteran killed in action" means the unmarried surviving spouse of a veteran who was killed in action while serving as a member of the United States Armed Forces.

Enacting section 1. This amendatory act takes effect December 31, 2022.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4568 of the 101st Legislature is enacted into law.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor