

HOUSE BILL NO. 6166

November 26, 2024, Introduced by Rep. Tyrone Carter and referred to the Committee on Government Operations.

A bill to amend 1980 PA 383, entitled
"Convention and tourism marketing act,"
by amending section 3 (MCL 141.883).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) A bureau ~~which~~**that** has its principal place of
2 business in a county ~~having~~**with** a population of more than
3 1,500,000 may file a marketing program notice with the director.
4 The notice ~~shall~~**must** state that the bureau proposes to create a
5 marketing program under this act and cause an assessment to be
6 collected from owners of transient facilities within the assessment
7 district to pay the costs of the program.

1 (2) The marketing program notice ~~shall~~**must** describe the
2 structure, history, membership, and activities of the bureau in
3 sufficient detail to enable the director to determine if the bureau
4 satisfies all of the requirements of section 2(d).

5 (3) The marketing program notice ~~shall describe~~**must do all of**
6 **the following:**

7 **(a) Describe** the marketing program to be implemented by the
8 bureau with the assessment revenues. ~~and specify~~

9 **(b) Specify** the amount of the assessment proposed to be
10 levied, which ~~shall~~**assessment may increase over time and must meet**
11 **all of the following requirements:**

12 **(i) Through December 31, 2024, must** not exceed ~~2%~~**3%** of the
13 room charges in the applicable payment period. ~~and~~

14 **(ii) Beginning January 1, 2025 through December 31, 2030, must**
15 **not exceed 3.5% of the room charges in the applicable payment**
16 **period.**

17 **(iii) Beginning January 1, 2031, must not exceed 4% of the room**
18 **charges in the applicable payment period.**

19 **(c) Specify** the county or counties comprising the assessment
20 district. A county ~~shall~~**must** not be included in the marketing
21 program notice and the assessment district specified in the notice
22 if on the date the notice is mailed the county is collecting a tax
23 pursuant to Act No. 263 of the Public Acts of 1974, being sections
24 141.861 to 141.867 of the Michigan Compiled Laws.**under 1974 PA 263,**
25 **MCL 141.861 to 141.867.**

26 (4) Simultaneously with the filing of the marketing program
27 notice with the director, the bureau shall cause a copy of the
28 notice to be mailed by registered or certified mail to each owner
29 of a transient facility located in the assessment district

1 specified in the notice in care of the respective transient
2 facility. In assembling the list of owners to whom the notices
3 ~~shall~~**must** be mailed, the bureau shall use any data which is
4 reasonably available to the bureau.

5 (5) The form of the marketing program notice, in addition to
6 the information required by subsections (1), (2), and (3), ~~shall~~
7 **must** set forth the right of referendum prescribed in subsection
8 (6).

9 (6) The assessment set forth in the notice ~~shall become~~
10 **becomes** effective on the first day of the month following the
11 expiration of 40 days after the date the notice is mailed, unless
12 the director, within the 40-day period, receives written requests
13 for a referendum by owners of transient facilities located within
14 the assessment district representing not less than 40% of the total
15 number of owners or not less than 40% of the total number of rooms
16 in all the transient facilities.

17 (7) If the director receives referendum requests in the time
18 and number set forth in subsection (6), the director shall cause a
19 written referendum to be held by mail or in person, as the director
20 chooses, among all owners of transient facilities in the assessment
21 district within 20 days after the expiration of the 40-day period.
22 For the purposes of the referendum, each owner of a transient
23 facility ~~shall have~~**has** 1 vote for each room in each of the owner's
24 transient facilities within the assessment district. If a majority
25 of votes actually cast at the referendum approve the assessment, as
26 proposed by the bureau in its marketing program notice, the
27 assessment ~~shall become~~**becomes** effective as to all owners of
28 transient facilities located in the assessment district on the
29 first day of the month following expiration of 30 days after

1 certification of the results of the referendum by the director. If
2 a majority of votes actually cast at the referendum are opposed to
3 the assessment, the assessment shall not become effective. If the
4 assessment is defeated by the referendum, the bureau may file and
5 serve a new notice of intention if at least 60 days have elapsed
6 from the date of certification of the results of the earlier
7 referendum. Not more than 2 referenda or notices may be held
8 ~~pursuant to~~ **or filed under** this subsection ~~or filed pursuant to~~
9 ~~this section~~ in any 1 calendar year. Only 1 assessment may be in
10 existence in an assessment district, or any part of an assessment
11 district, at any 1 time.