

AGRICULTURAL PROPERTY RECAPTURE ACT (EXCERPT)
Act 261 of 2000

211.1002 Definitions.

Sec. 2. As used in this act:

(a) "Benefit period" means the period in years between the date of the first exempt transfer and the conversion by a change in use, not to exceed the 7 years immediately preceding the year in which the qualified agricultural property is converted by a change in use.

(b) "Benefit received on that property" means the sum of the number of mills levied in the local tax collecting unit on the qualified agricultural property in each year of the benefit period, multiplied by the difference in each year of the benefit period between the true cash taxable value of the property and the property's taxable value as determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

(c) "Converted by a change in use" means 1 or more of the following:

(i) That due to a change in use the property is no longer qualified agricultural property as determined by the assessor of the local tax collecting unit.

(ii) If, prior to a transfer of qualified agricultural property, the purchaser files a notice of intent to rescind the qualified agricultural property exemption under section 7ee of the general property tax act, 1893 PA 206, MCL 211.7ee, with the local tax collecting unit and delivers a copy of that notice to the seller of the qualified agricultural property, the property has been converted by a change in use. The notice of intent to rescind the qualified agricultural property exemption shall be on a form prescribed by the department of treasury. If the sale is not consummated within 120 days of the filing of the notice under this subdivision or within 120 days of a subsequent filing of the notice under this subdivision, then the property is not converted by a change in use under this subdivision.

(d) "Exempt transfer" means a conveyance of property that is not a transfer of ownership pursuant to section 27a(7)(n) of the general property tax act, 1893 PA 206, MCL 211.27a.

(e) "Person" means an individual, partnership, corporation, limited liability company, association, governmental entity, or other legal entity.

(f) "Qualified agricultural property" means that term as defined in section 7dd of the general property tax act, 1893 PA 206, MCL 211.7dd.

(g) "Recapture tax" means the agricultural property recapture tax imposed under this act.

(h) "Treasurer" means the state treasurer.

(i) "True cash taxable value" means the taxable value the property would have had if section 27a(7)(n) of the general property tax act, 1893 PA 206, MCL 211.27a, were not in effect.

History: 2000, Act 261, Imd. Eff. June 29, 2000.