

MICHIGAN METROPOLITAN AREAS METROPOLITAN AUTHORITY ACT (EXCERPT)
Act 407 of 2012

***** 123.1315.new *THIS NEW SECTION IS EFFECTIVE WHEN CONDITIONS APPLIED BY ENACTING SECTION 1 OF ACT 407 OF 2012 ARE MET: See enacting section 1 of Act 407 of 2012* *****

***** 123.1315.new *THIS SECTION IS REPEALED BY ACT 86 OF 2014 IF THE CONDITIONS APPLIED BY ENACTING SECTION 2 OF ACT 86 OF 2014 ARE MET: See enacting section 2 of Act 86 of 2014* *****

123.1315.new Definitions.

Sec. 5. As used in this act:

- (a) "Authority" means the metropolitan areas metropolitan authority established under section 7.
- (b) "Commercial personal property" means personal property classified as commercial property under section 34c of the general property tax act, 1893 PA 206, MCL 211.34c.
- (c) "Commercial real property" means real property classified as commercial real property under section 34c of the general property tax act, 1893 PA 206, MCL 211.34c.
- (d) "Council" means the metropolitan areas council established under section 9.
- (e) "Debt loss" means, for a municipality that is not a local school district or intermediate school district, the amount of ad valorem property taxes and tax increment revenues required to pay the principal and interest of obligations incurred before 2013 pledging the tax increment revenues or the unlimited or limited taxing power of the municipality, that are lost from the exemptions provided by sections 9m, 9n, and 9o of the general property tax act, 1893 PA 206, MCL 211.9m, 211.9n, and 211.9o.
- (f) "Department" means the department of treasury.
- (g) "Fiscal year" means either an annual period that begins on October 1 and ends on September 30 or the fiscal year for the authority established by the council.
- (h) "Industrial personal property" means personal property classified as industrial personal property under section 34c of the general property tax act, 1893 PA 206, MCL 211.34c.
- (i) "Industrial real property" means real property classified as industrial real property under section 34c of the general property tax act, 1893 PA 206, MCL 211.34c.
- (j) "Metropolitan areas component tax" means that portion of the use tax levied by the authority under the use tax act, 1937 PA 94, MCL 205.91 to 205.111.
- (k) "Municipality" includes, but is not limited to, the following:
 - (i) Counties.
 - (ii) Cities.
 - (iii) Villages.
 - (iv) Townships.
 - (v) Authorities, excluding an authority created under this act.
 - (vi) Local school districts.
 - (vii) Intermediate school districts.
 - (viii) Community college districts.
 - (ix) Libraries.
 - (x) Other local and intergovernmental taxing units.
- (l) "Qualified loss" means the amounts calculated under sections 14, 15, and 16 that are not distributed to the municipality under section 17(3)(a).
- (m) "Qualified municipality" means a municipality that is a community college district or a municipality that experienced a reduction in taxable value of more than 2.3% as a result of the exemption of industrial personal property and commercial personal property under sections 9m, 9n, and 9o of the general property tax act, 1893 PA 206, MCL 211.9m, 211.9n, and 211.9o. A municipality's reduction in taxable value shall be calculated in the following manner:
 - (i) Calculate the total taxable value of all industrial personal property and commercial personal property in the municipality in 2013.
 - (ii) From the amount determined in subparagraph (i), subtract the total taxable value of all industrial personal property and commercial personal property in the municipality in the current year.
 - (iii) From the amount determined in subparagraph (ii), add the total taxable value of all property in the municipality in the current year.
 - (iv) Divide the result of subparagraph (ii) by the result of subparagraph (iii).
- (n) "School debt loss" means the amount of revenue lost from ad valorem property taxes specifically levied for the payment of principal and interest of obligations approved by the electors before January 1, 2013 or obligations pledging the unlimited taxing power of a local school district or intermediate school district

incurred before January 1, 2013, as a result of the exemption of industrial personal property and commercial personal property under sections 9m, 9n, and 9o of the general property tax act, 1893 PA 206, MCL 211.9m, 211.9n and 211.9o.

(o) "School operating loss not reimbursed by the school aid fund" means the amount of revenue lost from ad valorem property taxes levied under section 1211 of the revised school code, 1976 PA 451, MCL 380.1211, as a result of the exemption of industrial personal property and commercial personal property under sections 9m, 9n, and 9o of the general property tax act, 1893 PA 206, MCL 211.9m, 211.9n, and 211.9o, for mills other than basic school operating mills, as that term is defined in section 2c of the use tax act, 1937 PA 94, MCL 205.92c.

(p) "Taxable value" means that value determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

(q) "Total qualified loss" means the total amount of qualified losses of all municipalities, as determined by the department.

(r) "Total restricted qualified loss" means the total amount of qualified losses for all qualified municipalities, as determined by the department.

History: 2012, Act 407, Eff. (pending).

Compiler's note: Enacting section 1 of Act 407 of 2012 provides:

"Enacting section 1. This act does not take effect unless House Bill No. 6026 of the 96th Legislature is approved by a majority of the qualified electors of this state voting on the question at an election to be held on the August regular election date in 2014."

Enacting section 2 of Act 407 of 2012 provides:

"Enacting section 2. If House Bill No. 6026 of the 96th Legislature is not approved by the majority of the qualified electors of this state voting on the question at an election to be held on the August regular election in 2014, for fiscal year 2013-2014 and fiscal year 2014-2015, the legislature shall appropriate an amount sufficient to make the appropriations described in section 17(1)(a)."

Enacting section 2 of Act 86 of 2014 provides:

"Enacting section 2. This act does not take effect unless Senate Bill No. 822 of the 97th Legislature is approved by a majority of the qualified electors of this state voting on the question at an election to be held on the August regular election date in 2014."

Enacting section 3 of Act 86 of 2014 provides:

"Enacting section 3. If Senate Bill No. 822 of the 97th Legislature is not approved by the majority of the qualified electors of this state voting on the question at an election to be held on the August regular election in 2014, for fiscal year 2014-2015, the legislature shall appropriate an amount sufficient to make the appropriation described in section 17(1)(a) for fiscal year 2014-2015."