

SINGLE BUSINESS TAX ACT (EXCERPT)
Act 228 of 1975

***** 208.38b THIS SECTION IS REPEALED BY ACT 325 OF 2006 EFFECTIVE DECEMBER 31, 2007

208.38b Certain employers or carriers required to claim credit; amount; refund of credit in excess of estimated payment; subsequent increase or decrease in amount claimed; credit additional to other credits; refund of credit in excess of tax liability.

Sec. 38b. (1) For amounts paid after March 31, 1984, pursuant to section 352 of the worker's disability compensation act of 1969, Act No. 317 of the Public Acts of 1969, being section 418.352 of the Michigan Compiled Laws, a taxpayer that is an employer or carrier subject to Act No. 317 of the Public Acts of 1969, being sections 418.101 to 418.941 of the Michigan Compiled Laws, shall claim a credit against the tax imposed by this act for the taxable year in an amount equal to the amount paid during that tax year by the taxpayer pursuant to section 352 of Act No. 317 of the Public Acts of 1969, as certified by the director of the bureau of worker's disability compensation pursuant to section 391(6) of Act No. 317 of the Public Acts of 1969, being section 418.391 of the Michigan Compiled Laws.

(2) A taxpayer claiming a credit under this section shall claim a portion of the credit allowed by this section equal to the payments made during a calendar quarter pursuant to section 352 of Act No. 317 of the Public Acts of 1969, against the estimated tax payments made under section 71. Any credit in excess of an estimated payment shall be refunded to the taxpayer on a quarterly basis within 60 calendar days after receipt of a properly completed estimated tax return. Any subsequent increase or decrease in the amount claimed for payments made by the insurer or self-insurer shall be reflected in the amount of the credit taken for the calendar quarter in which the amount of the adjustment is finalized.

(3) The credit under this section is in addition to any other credits the taxpayer is eligible for under this act.

(4) Any amount of the credit under this section which is in excess of the tax liability of the taxpayer for the tax year shall be refunded, without interest, by the department to the taxpayer within 60 calendar days of receipt of a properly completed annual return required by this act.

History: Add. 1984, Act 45, Imd. Eff. Apr. 9, 1984;—Am. 1995, Act 135, Imd. Eff. July 10, 1995.