

THE GENERAL PROPERTY TAX ACT (EXCERPT)
Act 206 of 1893

211.7ff Real and personal property located in renaissance zone; applicability to eligible data center property; definitions.

Sec. 7ff.

(1) For taxes levied after 1996, except as otherwise provided in subsections (2) and (3) and except as limited in subsections (4), (5), and (6), real property in a renaissance zone and personal property located in a renaissance zone is exempt from the collection of taxes under this act to the extent and for the duration provided under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696.

(2) Except as otherwise provided in subsection (7), real and personal property in a renaissance zone is not exempt from collection of the following:

(a) A special assessment levied by the local tax collecting unit in which the property is located.

(b) Ad valorem property taxes specifically levied for the payment of principal and interest of obligations approved by the electors or obligations pledging the unlimited taxing power of the local governmental unit.

(c) A tax levied under section 705, 1211c, or 1212 of the revised school code, 1976 PA 451, MCL 380.705, 380.1211c, and 380.1212.

(3) Real property in a renaissance zone on which a casino is operated and personal property of a casino located in a renaissance zone is not exempt from the collection of taxes under this act. As used in this subsection, "casino" means a casino regulated by this state under the Michigan gaming control and revenue act, 1996 IL 1, MCL 432.201 to 432.226, and all property associated or affiliated with the operation of a casino, including, but not limited to, a parking lot, hotel, motel, or retail store.

(4) For residential rental property in a renaissance zone, the exemption provided under this section is only available if that residential rental property is in substantial compliance with all applicable state and local zoning, building, and housing laws, ordinances, or codes and either of the following occurs:

(a) The property owner files an affidavit before December 31 in the immediately preceding tax year with the treasurer of the local tax collecting unit in which the property is located stating that the property is in substantial compliance with all applicable state and local zoning, building, and housing laws, ordinances, or codes.

(b) Beginning December 31, 2004, the qualified local governmental unit in which the residential rental property is located determines that the residential rental property is in substantial compliance with all applicable state and local zoning, building, and housing laws, ordinances, and codes on tax day as provided in section 2. If the qualified local governmental unit in which the residential rental property is located determines that the residential rental property is in substantial compliance with all applicable state and local zoning, building, and housing laws, ordinances, and codes on tax day as provided in section 2, the property owner is not required to file an affidavit under subdivision (a).

(5) Except as otherwise provided in subsection (6), personal property is exempt under this section if that property is located in a renaissance zone on tax day as provided in section 2 and was located in that renaissance zone for not less than 50% of the immediately preceding tax year. The written statement required under section 19 must identify all personal property located in a renaissance zone on tax day as provided in section 2 and must indicate whether that personal property was located in that renaissance zone for 50% of the immediately preceding tax year.

(6) Personal property located in a renaissance zone on tax day as provided in section 2 and located in that renaissance zone for less than 50% of the immediately preceding tax year is exempt under this section if an owner of the personal property files an affidavit with the written statement required under section 19 stating that the personal property will be located in that renaissance zone for not less than 50% of the tax year for which the exemption is claimed. The written statement required under section 19 must identify all personal property located in that renaissance zone on tax day as provided in section 2 and identify that personal property for which an exemption is claimed under this subsection.

(7) For taxes and assessments levied after December 31, 2016, subsection (2) does not apply to eligible data center property located at the site of a renaissance zone that was approved in 2016 by the Michigan strategic fund with a minimum investment of \$100,000,000.00. For purposes of this subsection, the site of a renaissance zone approved in 2016 continues to be considered as approved in 2016 if that site is subsequently approved as a renaissance zone for the same entity in any future year.

(8) As used in this section:

(a) "Eligible data center property" means all personal property located in the qualified data center.

(b) "Qualified data center" means that term as defined in section 4ee of the general sales tax act, 1933 PA 167, MCL 205.54ee, or section 4cc of the use tax act, 1937 PA 94, MCL 205.94cc.

(c) "Qualified local governmental unit" means that term as defined in section 3 of the Michigan renaissance zone

act, 1996 PA 376, MCL 125.2683.

(d) "Renaissance zone" means that area designated a renaissance zone under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696.

(e) "Residential rental property" means that portion of real property not occupied by an owner of that real property that is classified as residential real property under section 34c, is a multiple-unit dwelling, or is a dwelling unit in a multiple purpose structure, used for residential purposes, and all personal property located in that real property.

History: Add. 1996, Act 469, Imd. Eff. Dec. 26, 1996 ;-- Am. 1998, Act 18, Imd. Eff. Mar. 12, 1998 ;-- Am. 1998, Act 498, Eff. Dec. 30, 1997 ;-- Am. 2005, Act 165, Imd. Eff. Oct. 6, 2005 ;-- Am. 2020, Act 28, Imd. Eff. Feb. 13, 2020

Compiler's Notes: Enacting section 1 of Act 498 of 1998 provides:“Enacting section 1. This amendatory act is retroactive and is effective December 30, 1997.”

Popular Name: Act 206