

HOUSE BILL No. 4962

June 13, 1991, Introduced by Rep. Hickner and referred to the Committee on Taxation.

A bill to amend section 3 of Act No. 395 of the Public Acts of 1980, entitled as amended
"Community convention or tourism marketing act,"
as amended by Act No. 245 of the Public Acts of 1989, being section 141.873 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3 of Act No. 395 of the Public Acts of
2 1980, as amended by Act No. 245 of the Public Acts of 1989, being
3 section 141.873 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 3. (1) A bureau that wishes to establish a marketing
6 program and assessment district shall file a marketing program
7 notice with the director. The marketing program notice shall
8 state that the bureau proposes to create a marketing program
9 under this act and cause an assessment to be collected from

1 owners of transient facilities within the assessment district to
2 pay the costs of the marketing program.

3 (2) The marketing program notice shall describe the struc-
4 ture, membership, and activities of the bureau.

5 (3) The marketing program notice shall describe the market-
6 ing program to be implemented by the bureau with the assessment
7 revenues, specify the amount of the assessment proposed to be
8 levied, which shall not exceed 2% of the room charges in the
9 applicable payment period, and describe the municipalities com-
10 prising the assessment district.

11 (4) ~~A~~ EXCEPT AS PROVIDED IN THIS SUBSECTION, A MUNICIPAL-
12 ITY OR A part of a municipality shall not be included in the mar-
13 keting program notice and the assessment district specified in
14 the notice if on the date the notice is mailed the county in
15 which that part is located is collecting a tax pursuant to Act
16 No. 263 of the Public Acts of 1974, being sections 141.861 to
17 141.867 of the Michigan Compiled Laws. A MUNICIPALITY OR A PART
18 OF A MUNICIPALITY MAY BE INCLUDED IN A MARKETING PROGRAM NOTICE
19 AND THE ASSESSMENT DISTRICT SPECIFIED IN THE NOTICE AND MAY BE
20 ASSESSED UNDER THIS ACT IF THE COUNTY IN WHICH THE MUNICIPALITY
21 OR PART IS LOCATED ADOPTS AN ORDINANCE AMENDING THE ORDINANCE
22 UNDER WHICH THE EXCISE TAX IS COLLECTED PURSUANT TO ACT NO. 263
23 OF THE PUBLIC ACTS OF 1974, BEING SECTIONS 141.861 TO 141.867 OF
24 THE MICHIGAN COMPILED LAWS, TO PROVIDE FOR THE EXPIRATION OF THE
25 COLLECTION OF THE EXCISE TAX UNDER ACT NO. 263 OF THE PUBLIC ACTS
26 OF 1974 ON THE EFFECTIVE DATE OF THE ASSESSMENT APPROVED UNDER
27 THIS ACT. Except as provided in section 10, an area shall not be

1 included in the marketing program notice filed under this act and
2 the assessment district specified in the notice if the area is
3 part of an existing assessment district under this act for which
4 a marketing program is in effect.

5 (5) If on the date of the mailing of the marketing program
6 notice under this act an excise tax or other tax based on a room
7 charge is not being collected, a municipality included in the
8 marketing program notice shall not be subject to the collection
9 of an excise tax imposed under Act No. 263 of the Public Acts of
10 1974 or another tax based on a room charge.

11 (6) If a part of a municipality is subject to an assessment
12 under the convention and tourism marketing act, Act No. 383 of
13 the Public Acts of 1980, being sections 141.881 to 141.889 of the
14 Michigan Compiled Laws, that part of the municipality shall not
15 be included in a marketing program notice or assessment district
16 under this act.

17 (7) Simultaneously with the filing of the marketing program
18 notice with the director, the bureau shall mail a copy of the
19 notice, by registered or certified mail, to each owner of a tran-
20 sient facility located in the assessment district specified in
21 the notice, in care of the respective transient facility. In
22 assembling the list of owners to whom the notices shall be
23 mailed, the bureau shall use any data that is reasonably avail-
24 able to the bureau.