



SENATE BILL No. 1184

Introduced by Senators BOUCHARD and CHERRY and referred
to the Committee on Finance

A bill to amend Act No 206 of the Public Acts of 1893,
entitled as amended

"The general property tax act "

as amended, being sections 211 1 to 211 157 of the Michigan
Compiled Laws, by adding section 7cc

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Act No 206 of the Public Acts of 1893, as
2 amended, being sections 211 1 to 211 157 of the Michigan Compiled
3 Laws, is amended by adding section 7cc to read as follows

4 SEC 7CC (1) PROPERTY THAT IS USED AS A HOMESTEAD BY AN
5 OWNER OF THE PROPERTY IS EXEMPT FROM THE TAX UNDER
6 SECTION 1211(1) OF THE SCHOOL CODE OF 1976, ACT NO 451 OF THE
7 PUBLIC ACTS OF 1976, BEING SECTION 380 1211 OF THE MICHIGAN
8 COMPILED LAWS, AS LONG AS THE PROPERTY IS USED AS A HOMESTEAD BY

1 THAT OWNER IF THAT OWNER OF THE PROPERTY CLAIMS AN EXEMPTION AS
2 PROVIDED IN THIS SECTION

3 (2) AN OWNER OF PROPERTY MAY CLAIM AN EXEMPTION UNDER THIS
4 SECTION BY FILING BEFORE MAY 1 AN AFFIDAVIT WITH THE LOCAL TAX
5 COLLECTING UNIT IN WHICH THE PROPERTY IS LOCATED STATING THAT THE
6 PROPERTY IS OWNED AND OCCUPIED AS A HOMESTEAD BY THAT OWNER OF
7 THE PROPERTY ON THE DATE THAT THE AFFIDAVIT IS SIGNED THE AFFI-
8 DAVIT SHALL BE ON A FORM PRESCRIBED AND PROVIDED BY THE DEPART-
9 MENT OF TREASURY

10 (3) IF AN OWNER FAILS TO FILE THE AFFIDAVIT BEFORE MAY 1,
11 THAT OWNER MAY FILE A LATE AFFIDAVIT WITH THE LOCAL TAX COLLECT-
12 ING UNIT THE AFFIDAVIT SHALL BE ON A FORM PRESCRIBED AND PRO-
13 VIDED BY THE DEPARTMENT OF TREASURY PROPERTY FOR WHICH A LATE
14 AFFIDAVIT HAS BEEN RECEIVED BY A LOCAL TAX COLLECTING UNIT IS
15 EXEMPT FROM A PRORATED PORTION OF THE TAXES LEVIED FOR SCHOOL
16 OPERATING PURPOSES FOR THAT YEAR BASED ON THE SAME PROPORTION
17 THAT THE NUMBER OF DAYS IN THAT YEAR AFTER THE AFFIDAVIT WAS
18 FILED HAS TO THE TOTAL NUMBER OF DAYS IN THAT YEAR

19 (4) UPON RECEIPT OF AN AFFIDAVIT UNDER SUBSECTION (2), THE
20 LOCAL TAX COLLECTING UNIT SHALL EXEMPT THE PROPERTY FROM COLLEC-
21 TION OF THE TAX UNDER THIS ACT FOR THE PERIOD OF EXEMPTION UNDER
22 THIS ACT OR UNTIL THE PROPERTY IS TRANSFERRED OR THE OWNER
23 RESCINDS THE CLAIM FOR EXEMPTION ON A FORM PRESCRIBED AND PRO-
24 VIDED BY THE DEPARTMENT OF TREASURY THE OWNER THAT CLAIMED THE
25 EXEMPTION OF THE PROPERTY SHALL RESCIND THE CLAIM FOR EXEMPTION
26 ON A FORM PRESCRIBED AND PROVIDED BY THE DEPARTMENT OF TREASURY

1 WHEN THAT PROPERTY IS NO LONGER USED AS A HOMESTEAD BY THAT
2 OWNER

3 (5) IF THE PROPERTY IS TRANSFERRED AND THE OWNER THAT
4 CLAIMED THE EXEMPTION RESCINDS THE CLAIM FOR EXEMPTION, THE NEW
5 OWNER OF THE PROPERTY MAY FILE A CLAIM FOR EXEMPTION, EXECUTED AT
6 THE TIME OF CLOSING ON THE TRANSFER OF THE PROPERTY, AT THE SAME
7 TIME AND ON THE SAME FORM APPLICABLE TO THE RESCISSION, AND THE
8 EXEMPTION SHALL CONTINUE WITHOUT INTERRUPTION

9 (6) THE LOCAL TAX COLLECTING UNIT SHALL FORWARD ALL AFFIDA-
10 VITS TO THE DEPARTMENT OF TREASURY THE DEPARTMENT OF TREASURY
11 SHALL DETERMINE IF THE PROPERTY IS THE HOMESTEAD OF THE OWNER
12 THAT CLAIMED THE EXEMPTION IF THE DEPARTMENT OF TREASURY DETER-
13 MINES THAT THE PROPERTY IS NOT THE HOMESTEAD OF THAT OWNER, THE
14 DEPARTMENT SHALL SEND A NOTICE TO THE LOCAL TAX COLLECTING UNIT
15 AND TO THAT OWNER OF THE PROPERTY THE LOCAL TAX COLLECTING UNIT
16 SHALL THEN PLACE THE PROPERTY BACK ON THE TAX ROLL FOR THE COL-
17 LECTION OF THE TAX THE NOTICE TO THE OWNER SHALL INCLUDE ALL OF
18 THE FOLLOWING

19 (A) A STATEMENT THAT THE DETERMINATION WAS MADE THAT THE
20 PROPERTY WAS NOT THE HOMESTEAD OF THE OWNER THAT CLAIMED THE
21 EXEMPTION

22 (B) THE AMOUNT OF TAX DUE

23 (C) A STATEMENT THAT THE OWNER SHALL PAY THE TAX AND MAY
24 APPEAL THE DETERMINATION TO THE BOARD OF REVIEW, WITHIN 35 DAYS
25 AFTER THE DATE OF THE NOTICE

26 (7) IF THE HOMESTEAD IS PART OF A UNIT IN A MULTIPLE-UNIT
27 DWELLING OR A DWELLING UNIT IN A MULTIPLE-UNIT STRUCTURE, AN

- 1 OWNER SHALL CLAIM A PORTION OF THE TOTAL STATE EQUALIZED
- 2 VALUATION THAT IS TO BE CONSIDERED THE HOMESTEAD OF THE OWNER
- 3 THAT CLAIMED THE EXEMPTION AND THE DEPARTMENT OF TREASURY SHALL
- 4 PRESCRIBE THE MANNER IN WHICH THE CALCULATION SHALL BE MADE