



HOUSE BILL No. 5551

April 11, 2000, Introduced by Reps. Ehardt, Mortimer, Rick Johnson, Kuipers, Voorhees and DeRossett and referred to the Committee on Tax Policy.

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending section 2 (MCL 207.522) and by adding section 11a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Person" means an individual, partnership, corporation,
3 limited liability company, association, governmental entity, or
4 other legal entity. If used in a penalty clause, person includes
5 the partners or members of a firm, a partnership, or an associa-
6 tion and the officers of a corporation.

7 (b) "Property" includes land, tenements, real estate, and
8 real property and all rights to and interests in land, tenements,
9 real estate, or real property.

10 (c) "Tax" means the state real estate transfer tax imposed
11 under this act.

1 (d) "Treasurer" means the state treasurer.

2 (e) "Value" means the current or fair market worth in terms
3 of legal monetary exchange at the time of the transfer. VALUE
4 DOES NOT INCLUDE ANY AMOUNT INCLUDED IN THE LEGAL MONETARY
5 EXCHANGE ATTRIBUTED TO A REAL ESTATE SALES COMMISSION PAID ON THE
6 SALE, TRANSFER, OR EXCHANGE OF REAL PROPERTY.

7 SEC. 11A. EACH FISCAL YEAR, THE STATE TREASURER SHALL ESTI-
8 MATE THE AMOUNT OF TAX REVENUE LOST TO THE STATE SCHOOL AID FUND
9 ESTABLISHED IN SECTION 11 OF ARTICLE IX OF THE STATE CONSTITUTION
10 OF 1963, IN THE PREVIOUS FISCAL YEAR DUE TO THE EXCLUSION OF REAL
11 ESTATE SALES COMMISSIONS FROM THE TAXABLE BASE. EACH YEAR, THE
12 LEGISLATURE SHALL APPROPRIATE GENERAL FUND GENERAL PURPOSE REVE-
13 NUE TO THE STATE SCHOOL AID FUND ESTABLISHED IN SECTION 11 OF
14 ARTICLE IX OF THE STATE CONSTITUTION OF 1963 IN AN AMOUNT NOT
15 LESS THAN THE AMOUNT ESTIMATED BY THE STATE TREASURER UNDER THIS
16 SECTION.