



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5168 (Substitute H-3 as reported without amendment)
Sponsor: Representative Chris Ward
House Committee: Tax Policy
Senate Committee: Finance

CONTENT

The bill would amend the General Property Tax Act to change the deadline for filing a claim for a principal residence exemption, or an exemption for qualified agricultural property, from December 31 to May 1 each year. (This change would return the deadline to its original date.)

In addition, an exemption may be denied if a person takes various actions described in the Act, such as claiming a similar exemption in another state. Under the bill, a person also would not be entitled to an exemption if he or she had previously rescinded an exemption for the same property for which an exemption was being claimed and ownership of the property had not been transferred after the previous exemption was rescinded. This would apply only if either of the following conditions were met:

- That person had claimed an exemption for any other property for that tax year.
- That person had rescinded an exemption on other property, that exemption remained in effect for that tax year, and ownership of the property had not been transferred.

Under the Act, if a claim for exemption is denied and a corrected or supplemental tax bill is issued, interest begins to accrue at a rate of 1.25% per month after a certain period of time (usually 30 to 60 days after the tax bill is issued). The bill specifies that the interest would apply per month or fraction of a month.

(Public Act 105 of 2003 (Senate Bill 520, effective July 24, 2003) amended the General Property Tax Act to provide for the auditing of exemptions in order to identify those who illegally claim an exemption. In addition to making several other changes, Public Act 105 moved the exemption affidavit filing deadline from May 1 to December 31.)

MCL 211.7cc et al.

Legislative Analyst: George Towne

FISCAL IMPACT

The provisions in the bill that would add to the exclusions for principal residence exemptions and allow penalties and interest to be assessed for a partial month would minimally increase both State and local unit revenues by an unknown amount.

Date Completed: 12-8-03

Fiscal Analyst: David Zin