

SUBSTITUTE FOR
HOUSE BILL NO. 5709
(As amended June 3, 2004)

A bill to amend 1975 PA 228, entitled
"Single business tax act,"
(MCL 208.1 to 208.145) by adding section 37g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 37g. (1) For tax years that begin after December 31,
2 2003, a taxpayer who is a nursery [] that has a documented
3 loss of \$5,000.00 or more for the tax year attributable to either
4 of the following may claim a credit against the tax imposed by
5 this act equal to the amount of the loss or \$5,000.00, whichever
6 is less:

7 (a) Ash trees in inventory as nursery stock at the beginning
8 of the tax year that cannot be sold because the nursery stock is
9 in a quarantine zone as determined by the department of
10 agriculture.

11 (b) Ash trees that were in inventory as nursery stock and

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1 were destroyed during the tax year because they were infested
2 with emerald ash borer or suspected of being infested with
3 emerald ash borer.

4 (2) If the credit allowed under this section for the tax year
5 and any unused carryforward of the credit allowed under this
6 section exceed the tax liability of the taxpayer for the tax
7 year, the excess shall not be refunded, but may be carried
8 forward as an offset to the tax liability in subsequent tax years
9 for 10 tax years or until the excess credit is used up, whichever
10 occurs first. As used in this section, "nursery []" and
11 "nursery stock" mean those terms as defined in section 2 of the
12 insect pest and plant disease act, 1931 PA 189, MCL 286.202.