

HOUSE BILL No. 5979

March 23, 2010, Introduced by Reps. Clemente, Byrnes, Liss, Wayne Schmidt, Stanley, Constan, Robert Jones, Bauer, Tlaib, Gonzales, Gregory and Smith and referred to the Committee on Intergovernmental and Regional Affairs.

A bill to amend 2004 PA 530, entitled "Historical neighborhood tax increment finance authority act," by amending section 3 (MCL 125.2843).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. As used in this act:

2 (a) "Operations" means office maintenance, including salaries
3 and expenses of employees, office supplies, consultation fees,
4 design costs, and other expenses incurred in the daily management
5 of the authority and planning of its activities.

6 (b) "Parcel" means an identifiable unit of land that is
7 treated as separate for valuation or zoning purposes.

8 (c) "Public facility" means housing, a street, plaza,
9 pedestrian mall, and any improvements to a street, plaza, or

1 pedestrian mall including street furniture and beautification,
2 park, parking facility, recreational facility, right of way,
3 structure, waterway, bridge, lake, pond, canal, utility line or
4 pipe, **TRANSIT-ORIENTED DEVELOPMENT, TRANSIT-ORIENTED FACILITY**, or
5 building, including access routes designed and dedicated to use by
6 the public generally, or used by a public agency. Public facility
7 includes an improvement to a facility used by the public or a
8 public facility as those terms are defined in section 1 of 1966 PA
9 1, MCL 125.1351, if the improvement complies with the barrier free
10 design requirements of the state construction code promulgated
11 under the Stille-DeRossett-Hale single state construction code act,
12 1972 PA 230, MCL 125.1501 to 125.1531.

13 (d) "Specific local tax" means a tax levied under 1974 PA 198,
14 MCL 207.551 to 207.572, the commercial redevelopment act, 1978 PA
15 255, MCL 207.651 to 207.668, the technology park development act,
16 1984 PA 385, MCL 207.701 to 207.718, or 1953 PA 189, MCL 211.181 to
17 211.182. The initial assessed value or current assessed value of
18 property subject to a specific local tax shall be the quotient of
19 the specific local tax paid divided by the ad valorem millage rate.
20 The state tax commission shall prescribe the method for calculating
21 the initial assessed value and current assessed value of property
22 for which a specific local tax was paid in lieu of a property tax.

23 (e) "State fiscal year" means the annual period commencing
24 October 1 of each year.

25 (f) "Tax increment revenues" means the amount of ad valorem
26 property taxes and specific local taxes attributable to the
27 application of the levy of all taxing jurisdictions upon the

1 captured assessed value of real and personal property in the
2 development area. Tax increment revenues do not include any of the
3 following:

4 (i) Taxes under the state education tax act, 1993 PA 331, MCL
5 211.901 to 211.906.

6 (ii) Taxes levied by local or intermediate school districts.

7 (iii) Ad valorem property taxes attributable either to a portion
8 of the captured assessed value shared with taxing jurisdictions
9 within the jurisdictional area of the authority or to a portion of
10 value of property that may be excluded from captured assessed value
11 or specific local taxes attributable to the ad valorem property
12 taxes.

13 (iv) Ad valorem property taxes excluded by the tax increment
14 financing plan of the authority from the determination of the
15 amount of tax increment revenues to be transmitted to the authority
16 or specific local taxes attributable to the ad valorem property
17 taxes.

18 (v) Ad valorem property taxes exempted from capture under
19 section 17(5) or specific local taxes attributable to the ad
20 valorem property taxes.

21 (vi) Ad valorem property taxes specifically levied for the
22 payment of principal and interest of obligations approved by the
23 electors or obligations pledging the unlimited taxing power of the
24 local governmental unit or specific taxes attributable to those ad
25 valorem property taxes.

26 (G) "TRANSIT-ORIENTED DEVELOPMENT" MEANS INFRASTRUCTURE
27 IMPROVEMENTS THAT ARE LOCATED WITHIN 1/2 MILE OF A TRANSIT STATION

1 OR TRANSIT-ORIENTED FACILITY THAT PROMOTES TRANSIT RIDERSHIP OR
2 PASSENGER RAIL USE, AS DETERMINED BY THE BOARD AND APPROVED BY THE
3 MUNICIPALITY IN WHICH IT IS LOCATED.

4 (H) "TRANSIT-ORIENTED FACILITY" MEANS A FACILITY THAT HOUSES A
5 TRANSIT STATION IN A MANNER THAT PROMOTES TRANSIT RIDERSHIP OR
6 PASSENGER RAIL USE.