

SENATE BILL No. 1279

April 21, 2010, Introduced by Senator THOMAS and referred to the Committee on Appropriations.

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
10 pedestrian mall including street furniture and beautification,

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

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

21 (e) "State fiscal year" means the annual period commencing
22 ~~October~~**JULY** 1 of each year.

23 (f) "Tax increment revenues" means the amount of ad valorem
24 property taxes and specific local taxes attributable to the
25 application of the levy of all taxing jurisdictions upon the
26 captured assessed value of real and personal property in the
27 development area. Tax increment revenues do not include any of the

1 following:

2 (i) Taxes under the state education tax act, 1993 PA 331, MCL
3 211.901 to 211.906.

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

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

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

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

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

24 Enacting section 1. This amendatory act does not take effect
25 unless Senate Bill No. 1281

26 of the 95th Legislature is enacted into law.