

HOUSE BILL No. 4946

June 27, 1989, Introduced by Rep. Camp and referred to the Committee on Taxation.

A bill to amend section 3 of Act No. 395 of the Public Acts of 1980, entitled as amended

"Community convention or tourism marketing act,"

as amended by Act No. 59 of the Public Acts of 1984, being section 141.873 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3 of Act No. 395 of the Public Acts of
2 1980, as amended by Act No. 59 of the Public Acts of 1984, being
3 section 141.873 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 3. (1) A bureau ~~which~~ THAT wishes to establish a
6 marketing program and assessment district shall file a marketing
7 program notice with the director. The notice shall state that
8 the bureau proposes to create a marketing program under this act
9 and cause an assessment to be collected from owners of transient

1 facilities within the assessment district to pay the costs of the
2 program.

3 (2) The marketing program notice shall describe the struc-
4 ture, membership, and activities of the bureau.

5 (3) The marketing program notice shall describe the market-
6 ing program to be implemented by the bureau with the assessment
7 revenues, specify the amount of the assessment proposed to be
8 levied, which shall not exceed ~~2%~~ 4% of the room charges in the
9 applicable payment period, and describe the municipalities com-
10 prising the assessment district.

11 (4) A part of a municipality shall not be included in the
12 marketing program notice and the assessment district specified in
13 the notice if on the date the notice is mailed the county in
14 which that part is located is collecting a tax pursuant to Act
15 No. 263 of the Public Acts of 1974, being sections 141.861 to
16 141.867 of the Michigan Compiled Laws. Except as provided in
17 section 10, an area shall not be included in the marketing pro-
18 gram notice and the assessment district specified in the notice
19 if the area is part of an existing assessment district for which
20 a marketing program is in effect.

21 (5) If on the date of the mailing of the marketing program
22 notice an excise tax or other tax based on a room charge is not
23 being collected, a municipality included in the marketing program
24 notice shall not be subject to the collection of an excise tax
25 imposed under Act No. 263 of the Public Acts of 1974 or another
26 tax based on a room charge.

1 (6) If a part of a municipality is subject to an assessment
2 under the convention and tourism marketing act, Act No. 383 of
3 the Public Acts of 1980, being sections 141.881 to 141.889 of the
4 Michigan Compiled Laws, that part of the municipality shall not
5 be included in a marketing program notice or assessment district
6 under this act.

7 (7) Simultaneously with the filing of the marketing program
8 notice with the director, the bureau shall cause a copy of the
9 notice to be mailed by registered or certified mail to each owner
10 of a transient facility located in the assessment district speci-
11 fied in the notice, in care of the respective transient
12 facility. In assembling the list of owners to whom the notices
13 shall be mailed, the bureau shall use any data ~~which~~ THAT is
14 reasonably available to the bureau.