

STATE OF MICHIGAN  
89TH LEGISLATURE  
REGULAR SESSION OF 1998

Introduced by Rep. Hanley

# ENROLLED HOUSE BILL No. 5365

AN ACT to amend 1996 PA 376, entitled "An act to create certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials," by amending section 10 (MCL 125.2690), as amended by 1998 PA 239, and by adding section 8a.

*The People of the State of Michigan enact:*

Sec. 8a. Notwithstanding any other provision of this act, if a business that is located and conducts business activity within a renaissance zone relocates outside the renaissance zone, the business shall receive the exemption, deduction, and credits provided in section 9 for the property that was located in the renaissance zone and business activity that was performed in the renaissance zone if all the following are met:

(a) The business relocates to a parcel that is adjacent to and contiguous with the parcel in the renaissance zone on which the property was located and both parcels are owned by the same person and were owned by the same person on the date the renaissance zone was created.

(b) The property and business activity relocated outside the renaissance zone was located and conducted in the renaissance zone on the date the renaissance zone was designated under this act.

(c) The reason for relocating the property and business activity outside the renaissance zone is to construct new facilities of \$1,000,000.00 or greater in real and personal property inside the renaissance zone.

(d) The business requests approval for the relocation from the local unit of government that created the renaissance zone and that approval is granted.

(e) The business submits a development plan outlining its business plan for the use of the property within the renaissance zone and for the business activity and use of the property outside the renaissance zone that is to be relocated under this section and enters into an enforceable development agreement with the local unit of government regarding the implementation of that business plan.

Sec. 10. (1) An individual who is a resident of a renaissance zone or a business that is located and conducts business activity within a renaissance zone or a person that owns property located in a renaissance zone is not eligible for the exemption, deduction, or credit listed in section 9(1) or (2) for that taxable year if 1 or more of the following apply:

(a) The resident, business, or property owner is delinquent under 1 or more of the following:

(i) The single business tax act, 1975 PA 228, MCL 208.1 to 208.145.

(ii) The income tax act of 1967, 1967 PA 281, MCL 206.1 to 206.532.

(iii) 1974 PA 198, MCL 207.551 to 207.572.

(iv) The commercial redevelopment act, 1978 PA 255, MCL 207.651 to 207.668.

(v) The enterprise zone act, 1985 PA 224, MCL 125.2101 to 125.2123.

(vi) 1953 PA 189, MCL 211.181 to 211.182.

(vii) The technology park development act, 1984 PA 385, MCL 207.701 to 207.718.

(viii) Part 511 (commercial forests) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.51101 to 324.51120.

(ix) The neighborhood enterprise zone act, 1992 PA 147, MCL 207.771 to 207.787.

(x) The city utility users tax act, 1990 PA 100, MCL 141.1151 to 141.1177.

(b) The resident, business, or property owner is substantially delinquent as determined by the qualified local governmental unit in which the renaissance zone is located under 1 or both of the following:

(i) The city income tax act, 1964 PA 284, MCL 141.501 to 141.787.

(ii) Taxes, fees, and special assessments collected under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157.

(c) For residential rental property in a renaissance zone, the residential rental property is not in substantial compliance with all applicable state and local zoning, building, and housing laws, ordinances, or codes and the residential rental property owner has not filed an affidavit before December 31 in the immediately preceding tax year with the local tax collecting unit in which the residential rental property is located as required under section 7ff of the general property tax act, 1893 PA 206, MCL 211.7ff.

(2) A business located in a qualified local governmental unit that relocates from outside a renaissance zone into a renaissance zone in that same qualified local governmental unit shall not receive the exemptions, deductions, or credits described in section 9 unless the governing body of the qualified local governmental unit in which the renaissance zone is located approves the relocation of the business.

(3) Unless approval of the relocation is obtained under subsection (2), if a business relocates more than 25 full-time equivalent jobs to a renaissance zone, the business shall notify the Michigan jobs commission and the local governmental unit from which the jobs are being relocated of the relocation. The business is not eligible for the exemptions, deductions, or credits listed in section 9(1) and (2) if the local governmental unit from which the jobs are being relocated adopts a resolution objecting to the relocation of the jobs within 60 days after the notification by the business. The business becomes eligible for the exemptions, deductions, and credits listed in section 9(1) and (2) when the local governmental unit that objected to the relocation rescinds its objection by resolution. A local governmental unit that objects to the relocation of jobs shall file a copy of all resolutions of objection and rescission with the department of treasury, Michigan jobs commission, county or local governmental unit that created the renaissance zone into which the jobs are transferred, and the local governmental unit into which the jobs are transferred. As used in this subsection only, "local governmental unit" means a city, village, or township.

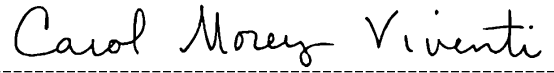
(4) An individual who is a resident of a renaissance zone is eligible for an exemption, deduction, or credit under section 9(1) and (2) until the department of treasury determines that the aggregate state and local tax revenue forgone as a result of all exemptions, deductions, or credits granted under this act to that individual reaches \$10,000,000.00.

(5) A casino located and conducting business activity within a renaissance zone is not eligible for the exemption, deduction, or credit listed in section 9(1) or (2). Real property in a renaissance zone on which a casino is operated, personal property of a casino located in a renaissance zone, and all property associated or affiliated with the operation of a casino is not eligible for the exemption, deduction, or credit listed in section 9(1) or (2). As used in this subsection, "casino" means a casino or a parking lot, hotel, motel, or retail store owned or operated by a casino, an affiliate, or an affiliated company, regulated by this state pursuant to the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.201 to 432.226.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives.



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Secretary of the Senate.

Approved -----

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Governor.