

SENATE BILL NO. 1089

April 28, 1998, Introduced by Senators STEIL, ROGERS, GOUGEON, CISKY, BENNETT, BULLARD, GEAKE, STILLE, DUNASKISS, HOFFMAN and SHUGARS and referred to the Committee on Finance.

A bill to amend 1933 PA 167, entitled
"General sales tax act,"
by amending section 6 (MCL 205.56), as amended by 1993 PA 325.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) Each taxpayer, unless otherwise provided by law
2 or as required pursuant to subsection ~~-(2)-or-(4)-~~ (3), on or
3 before the fifteenth day of each month shall make out a return
4 for the preceding month on a form prescribed by the department
5 showing the entire amount of all sales and gross proceeds of his
6 or her business, the allowable deductions therefrom, and the
7 amount of tax for which he or she is liable. ~~—, and~~ THE TAXPAYER
8 shall ALSO transmit the return, together with a remittance for
9 the amount of the tax, to the department on or before the
10 fifteenth day of ~~the~~ THAT month. The monthly return shall be
11 signed by the taxpayer or his or her duly authorized agent and,

1 if prepared for the taxpayer by any other person, the return
2 shall so state, give the name and address of that person, be
3 signed by that person, and give the name of his or her employer,
4 if any.

5 ~~-(2) Each taxpayer that had a total tax liability, after~~
6 ~~subtracting the tax payments made to the secretary of state under~~
7 ~~this act or the use tax act, Act No. 94 of the Public Acts of~~
8 ~~1937, being sections 205.91 to 205.111 of the Michigan Compiled~~
9 ~~Laws, or after subtracting the tax credits available under~~
10 ~~section 6a, in the immediately preceding calendar year of~~
11 ~~\$480,000.00 for 1993, \$660,000.00 for 1994, or \$720,000.00 for~~
12 ~~each year after 1994, or more on or before the eighteenth of each~~
13 ~~month shall remit to the department, by an electronic funds~~
14 ~~transfer method approved by the commissioner of revenue, an~~
15 ~~amount equal to 95% of the taxpayer's liability under this act~~
16 ~~for the same month in the immediately preceding calendar year, or~~
17 ~~95% of the actual liability for the current month being reported,~~
18 ~~plus a reconciliation payment equal to the difference between the~~
19 ~~tax liability determined for the immediately preceding month~~
20 ~~minus the amount of tax previously paid for that month. However,~~
21 ~~for the period beginning May 1, 1994 through April 30, 1995, the~~
22 ~~payment required under this subsection shall be 140% of the~~
23 ~~taxpayer's liability under this act for the same month in the~~
24 ~~immediately preceding calendar year or 95% of the actual liabil-~~
25 ~~ity for the current month being reported, plus the reconciliation~~
26 ~~payment described in this subsection.~~

1 (2) ~~—(3)—~~ The tax imposed under this act shall accrue to the
2 state on the last day of the month in which the sale is
3 incurred.

4 (3) ~~—(4)—~~ The commissioner of revenue, when necessary to
5 insure payment of the tax or to provide a more efficient adminis-
6 tration, may require the filing of returns and payment of the tax
7 for other than monthly periods.