

Act No. 469
Public Acts of 1998
Approved by the Governor
December 31, 1998
Filed with the Secretary of State
January 4, 1999
EFFECTIVE DATE: January 4, 1999

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Reps. Voorhees, Sikkema, Jellema, Richner, Scranton and Birkholz

ENROLLED HOUSE BILL No. 6045

AN ACT to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes thereon, and for the collection of taxes levied; making such taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection therewith; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal certain acts and parts of acts in anywise contravening any of the provisions of this act," by amending section 7d (MCL 211.7d), as amended by 1987 PA 200.

The People of the State of Michigan enact:

Sec. 7d. (1) Housing owned and operated by a nonprofit corporation or association or by this state, a political subdivision of this state, or an instrumentality of this state, for occupancy or use solely by elderly or disabled families is exempt from the collection of taxes under this act. For purposes of this section, housing is considered occupied solely by elderly or disabled families even if 1 or more of the units is occupied by service personnel, such as a custodian or nurse.

(2) If a local tax collecting unit has a tax roll for collection, and the tax roll contains taxes assessed against property for which an exemption is claimed under this section, the appropriate collecting officer shall prepare a statement on a form prescribed by the department of management and budget describing the property for which an exemption is claimed under this section, the names and addresses of the corporation or association entitled to the exemption, the total amount of taxes exempted, and the amount of taxes assessed against the property. The local tax collecting unit shall forward the statement to the department of management and budget. Upon verification of the statement, the state treasurer shall draw his or her warrant upon the state treasury for the total amount of tax revenues lost by the local tax collecting unit as a result of the exemption under this section as shown by the statement. After examining the statement, the state treasurer shall forward the warrants to the treasurer of the local tax collecting unit.

(3) The director of the department of management and budget shall estimate the amount necessary to meet the expense of administering the provisions of this section in each year, and the legislature shall appropriate an amount sufficient to meet that expense in each year.

(4) As used in this section:

(a) "Disabled person" means a person with disabilities.

(b) "Elderly or disabled families" means families consisting of 2 or more persons if the head of the household, or his or her spouse, is 62 years of age or over or is a disabled person, and includes a single person who is 62 years of age or over or is a disabled person.

(c) "Elderly person" means that term as defined in section 202 of title II of the housing act of 1959, Public Law 86-372, 12 U.S.C. 1701q.

(d) "Housing" means new or rehabilitated structures with 8 or more residential units in 1 or more of the structures for occupancy and use by elderly or disabled persons, including essential contiguous land and related facilities as well as all personal property of the corporation or association used in connection with the facilities.

(e) "Nonprofit corporation or association" means a nonprofit corporation or association incorporated under the laws of this state not otherwise exempt from the collection of taxes under this act, operating a housing facility or project qualified, built, or financed under section 202 of title II of the housing act of 1959, Public Law 86-372, 12 U.S.C. 1701q, section 236 of title II of the national housing act, chapter 847, 82 Stat. 498, 12 U.S.C. 1715z-1, or section 811 of subtitle B of title VIII of the Cranston-Gonzalez national affordable housing act, Public Law 101-625, 42 U.S.C. 8013.

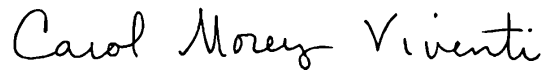
(f) "Person with disabilities" means that term as defined in section 811 of subtitle B of title VIII of the Cranston-Gonzalez national affordable housing act, Public Law 101-625, 42 U.S.C. 8013.

(g) "Residential units" includes 1-bedroom units licensed under the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737, for persons who share dining, living, and bathroom facilities and who have a mental illness, developmental disability, or a physical handicap, as those terms are defined in the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737, or individual self-contained dwellings in an unlicensed facility. At the time of construction or rehabilitation, both self-contained dwellings and 1-bedroom units must be financed under either section 202 of title II of the housing act of 1959, Public Law 86-372, 12 U.S.C. 1701q, or under section 811 of subtitle B of title VIII of the Cranston-Gonzalez national affordable housing act, Public Law 101-625, 42 U.S.C. 8013.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.