

# HOUSE BILL No. 6108

May 24, 2006, Introduced by Reps. Mayes, Huizenga, Meisner and Spade and referred to the Committee on Commerce.

A bill to amend 2000 PA 146, entitled  
"Obsolete property rehabilitation act,"  
by amending section 8 (MCL 125.2788).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 8. (1) If the taxable value of the property proposed to  
2 be exempt pursuant to an application under consideration,  
3 considered together with the aggregate taxable value of property  
4 exempt under certificates previously granted and currently in force  
5 under this act or under 1974 PA 198, MCL 207.551 to 207.572,  
6 exceeds 5% of the taxable value of the qualified local governmental  
7 unit, the legislative body of the qualified local governmental unit  
8 shall make a separate finding and shall include a statement in its  
9 resolution approving the application that exceeding that amount

1 shall not have the effect of substantially impeding the operation  
2 of the qualified local governmental unit or impairing the financial  
3 soundness of an affected taxing unit.

4 (2) The legislative body of the qualified local governmental  
5 unit shall not approve an application for an obsolete property  
6 exemption certificate unless the applicant complies with all of the  
7 following requirements:

8 (a) ~~The~~ **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), THE**  
9 commencement of the rehabilitation of the facility does not occur  
10 before the establishment of the obsolete property rehabilitation  
11 district.

12 (b) The application relates to a rehabilitation program that  
13 when completed constitutes a rehabilitated facility within the  
14 meaning of this act and that shall be situated within an obsolete  
15 property rehabilitation district established in a qualified local  
16 governmental unit eligible under this act to establish such a  
17 district.

18 (c) Completion of the rehabilitated facility is calculated to,  
19 and will at the time of issuance of the certificate have the  
20 reasonable likelihood to, increase commercial activity, create  
21 employment, retain employment, prevent a loss of employment,  
22 revitalize urban areas, or increase the number of residents in the  
23 community in which the facility is situated.

24 (d) The applicant states, in writing, that the rehabilitation  
25 of the facility would not be undertaken without the applicant's  
26 receipt of the exemption certificate.

27 (e) The applicant is not delinquent in the payment of any

1 taxes related to the facility.

2 (3) THE LEGISLATIVE BODY OF A QUALIFIED LOCAL GOVERNMENTAL  
3 UNIT MAY APPROVE AN APPLICATION FOR AN OBSOLETE PROPERTY EXEMPTION  
4 CERTIFICATE IF THE COMMENCEMENT OF THE REHABILITATION OF THE  
5 FACILITY OCCURS BEFORE THE ESTABLISHMENT OF THE OBSOLETE PROPERTY  
6 REHABILITATION DISTRICT AND IF 1 OR MORE OF THE FOLLOWING ARE MET:

7 (A) ALL OF THE FOLLOWING ARE MET:

8 (i) THE BUILDING PERMIT FOR THE REHABILITATION OF THE FACILITY  
9 WAS OBTAINED IN OCTOBER 2002.

10 (ii) THE OBSOLETE PROPERTY EXEMPTION CERTIFICATE FOR THE  
11 FACILITY WAS GRANTED IN 2006.

12 (iii) THE REHABILITATION OF THE FACILITY INCLUDED ADDING  
13 ADDITIONAL STORIES TO THE FACILITY.

14 (B) EMERGENCY OR TEMPORARY REPAIRS OR IMPROVEMENTS WERE MADE  
15 BEFORE THE ESTABLISHMENT OF THE OBSOLETE PROPERTY REHABILITATION  
16 DISTRICT.