

SENATE BILL No. 408

April 18, 2007, Introduced by Senator THOMAS and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1978 PA 255, entitled
"Commercial redevelopment act,"
by amending sections 5 and 18 (MCL 207.655 and 207.668), section 5
as amended by 1980 PA 448 and section 18 as amended by 1984 PA 342.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) A local governmental unit, by resolution of its
2 legislative body, may establish a commercial redevelopment
3 district, which may consist of 1 or more parcels or tracts of land
4 or a portion thereof, if at the time of adoption of the resolution
5 the property within the district is ~~any~~ **1 OR MORE** of the following:

6 (a) Obsolete commercial property or cleared or vacant land
7 which is part of an existing, developed commercial or industrial
8 zone which has been zoned commercial or industrial for 3 years
9 before June 21, 1978, and the area is or was characterized by

1 obsolete commercial property and a decline in commercial activity.

2 (b) Land which has been cleared or is to be cleared as a
3 result of major fire damage, or cleared or to be cleared as a
4 blighted area under ~~Act No. 344 of the Public Acts of 1945, as~~
5 ~~amended, being sections 125.71 to 125.84 of the Michigan Compiled~~
6 ~~Laws 1945 PA 344, MCL 125.71 TO 125.84.~~

7 (c) Cleared or vacant land included within a redevelopment
8 plan adopted by a downtown development authority ~~pursuant to Act~~
9 ~~No. 197 of the Public Acts of 1975, as amended, being sections~~
10 ~~125.1651 to 125.1680 of the Michigan Compiled Laws~~ **UNDER 1975 PA**
11 **197, MCL 125.1651 TO 125.1681,** or adopted by an urban redevelopment
12 corporation ~~pursuant to Act No. 250 of the Public Acts of 1941, as~~
13 ~~amended, being sections 125.901 to 125.922 of the Michigan Compiled~~
14 ~~Laws, or Act No. 120 of the Public Acts of 1961, being sections~~
15 ~~125.981 to 125.986 of the Michigan Compiled Laws~~ **UNDER THE URBAN**
16 **REDEVELOPMENT CORPORATIONS LAW, 1941 PA 250, MCL 125.901 TO**
17 **125.922, OR 1961 PA 120, MCL 125.981 TO 125.990M.**

18 (d) Property which was owned by a local governmental unit on
19 June 21, 1978, and subsequently conveyed to a private owner and
20 zoned commercial.

21 **(E) PROPERTY LOCATED IN A CITY WITH A POPULATION OF 700,000 OR**
22 **MORE, WHICH WAS OWNED BY THIS STATE ON DECEMBER 31, 2003 AND WHICH**
23 **WAS SUBSEQUENTLY CONVEYED TO A PRIVATE OWNER AND ZONED COMMERCIAL.**

24 (2) The legislative body of a local governmental unit may
25 establish a commercial redevelopment district on its own initiative
26 or upon a request filed by the owner or owners of 75% of the state
27 equalized value of the commercial property located within a

1 proposed district.

2 (3) Before adopting a resolution establishing a commercial
3 redevelopment district, the legislative body shall give written
4 notice by certified mail to the owners of all real property within
5 the proposed commercial redevelopment district and shall afford an
6 opportunity for a hearing on the establishment of the commercial
7 redevelopment district at which any of those owners and any other
8 resident or taxpayer of the local governmental unit may appear and
9 be heard. The legislative body shall give public notice of the
10 hearing not less than 10 nor more than 30 days before the date of
11 the hearing.

12 (4) The legislative body of the local governmental unit, in
13 its resolution establishing a commercial redevelopment district,
14 shall set forth a finding and determination that the district meets
15 the requirements set forth in subsection (1).

16 (5) A commercial redevelopment district established by a
17 township shall be applicable only within the unincorporated
18 territory of the township and shall not be applicable within a
19 village located in that township.

20 (6) A restored facility included in an area covered by a tax
21 increment financing plan adopted by a downtown development
22 authority created under ~~Act No. 197 of the Public Acts of 1975, as~~
23 ~~amended, shall be~~ **1975 PA 197, MCL 125.1651 TO 125.1681, IS** exempt
24 from this act in a city with a population of ~~1,000,000~~ **700,000** or
25 more.

26 (7) Commercial property included as part of a commercial
27 redevelopment district may also be part of a tax increment district

1 established under the tax increment finance authority act, 1980 PA
2 450, MCL 125.1801 TO 125.1830.

3 Sec. 18. (1) ~~A—EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2),~~
4 A new exemption shall not be granted under this act after December
5 31, 1985, but an exemption then in effect shall continue until the
6 expiration of the exemption certificate.

7 (2) NOT LATER THAN JULY 1, 2008, A LOCAL GOVERNMENTAL UNIT
8 THAT IS A CITY WITH A POPULATION OF 700,000 OR MORE MAY ESTABLISH A
9 COMMERCIAL REDEVELOPMENT DISTRICT AND APPROVE A COMMERCIAL
10 FACILITIES EXEMPTION CERTIFICATE UNDER THIS ACT.