

HOUSE BILL No. 6292

June 24, 2010, Introduced by Reps. Booher, Sheltroun, Green, Caul, Ball, Hansen, Lemmons, LeBlanc, Neumann and Wayne Schmidt and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7jj and 27a (MCL 211.7jj[1] and 211.27a), section 7jj as added by 2006 PA 378 and section 27a as amended by 2008 PA 506.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7jj. (1) Except as otherwise limited in this subsection,
2 qualified forest property is exempt from the tax levied by a local
3 school district for school operating purposes to the extent
4 provided under section 1211 of the revised school code, 1976 PA
5 451, MCL 380.1211, according to the provisions of this section. The
6 amount of qualified forest property in this state that is eligible
7 for the exemption under this section is limited as follows:

8 (a) In the fiscal year ending September 30, 2008, 300,000

1 acres.

2 (b) In the fiscal year ending September 30, 2009, 600,000
3 acres.

4 (c) In the fiscal year ending September 30, 2010, 900,000
5 acres.

6 (d) In the fiscal year ending September 30, 2011 and each
7 fiscal year thereafter, 1,200,000 acres.

8 (2) To claim an exemption under subsection (1), the owner of
9 qualified forest property shall file an affidavit claiming the
10 exemption, **TOGETHER WITH A \$25.00 APPLICATION FEE**, and an approved
11 forest management plan or a certificate provided by a third-party
12 certifying organization with the local tax collecting unit by
13 December 31. An owner may claim an exemption under this section for
14 not more than ~~320~~**640** acres of qualified forest property in each
15 local tax collecting unit. If an exemption is granted under this
16 section for less than ~~320~~**640** acres in a local tax collecting unit,
17 an owner of that property may subsequently claim an exemption for
18 additional property in that local tax collecting unit if that
19 additional property meets the requirements of this section.

20 (3) The affidavit shall be on a form prescribed by the
21 department of treasury and shall require the person submitting the
22 affidavit to attest that the property for which the exemption is
23 claimed is qualified forest property and will be managed according
24 to the approved forest management plan.

25 (4) The assessor shall determine if the property is qualified
26 forest property based on a recommendation from the department of
27 natural resources **AND ENVIRONMENT** and confirmation that the acreage

1 limitation set forth in subsection (1) has not been reached and if
2 so shall exempt the property from the collection of the tax as
3 provided in subsection (1) until December 31 of the year in which
4 the property is no longer qualified forest property.

5 (5) Not more than 90 days after all or a portion of the
6 exempted property is no longer qualified forest property, the owner
7 shall rescind the exemption for the applicable portion of the
8 property by filing with the local tax collecting unit a rescission
9 form prescribed by the department of treasury. An owner who fails
10 to file a rescission as required by this subsection is subject to a
11 penalty of \$5.00 per day for each separate failure beginning after
12 the 90 days have elapsed, up to a maximum of \$1,000.00. This
13 penalty shall be collected under 1941 PA 122, MCL 205.1 to 205.31,
14 and shall be deposited in the general fund of this state.

15 (6) An owner of property that is qualified forest property on
16 December 31 for which an exemption was not on the tax roll may file
17 an appeal with the July or December board of review under section
18 53b in the year the exemption was claimed or the immediately
19 succeeding year. An owner of property that is qualified forest
20 property on May 1 for which an exemption was denied by the assessor
21 in the year the affidavit was filed may file an appeal with the
22 July board of review for summer taxes or, if there is not a summer
23 levy of school operating taxes, with the December board of review
24 under section 53b.

25 (7) If the assessor of the local tax collecting unit believes
26 that the property for which an exemption has been granted is not
27 qualified forest property based on a recommendation from the

1 department of natural resources **AND ENVIRONMENT**, the assessor may
2 deny or modify an existing exemption by notifying the owner in
3 writing at the time required for providing a notice under section
4 24c. A taxpayer may appeal the assessor's determination to the
5 board of review meeting under section 30. A decision of the board
6 of review may be appealed to the residential and small claims
7 division of the Michigan tax tribunal.

8 (8) If property for which an exemption has been granted under
9 this section is not qualified forest property, the property that
10 had been subject to that exemption shall be immediately placed on
11 the tax roll by the local tax collecting unit if the local tax
12 collecting unit has possession of the tax roll or by the county
13 treasurer if the county has possession of the tax roll as though
14 the exemption had not been granted. A corrected tax bill shall be
15 issued for each tax year being adjusted by the local tax collecting
16 unit if the local tax collecting unit has possession of the tax
17 roll or by the county treasurer if the county has possession of the
18 tax roll.

19 (9) If property for which an exemption has been granted under
20 this section is converted by a change in use and is no longer
21 qualified forest property, the property is subject to the qualified
22 forest property recapture tax levied under the qualified forest
23 property recapture tax act, **2006 PA 379, MCL 211.1031 TO 211.1036**.
24 An owner of qualified forest property shall inform a prospective
25 buyer of that qualified forest property that the qualified forest
26 property is subject to the recapture tax provided in the qualified
27 forest property recapture tax act, **2006 PA 379, MCL 211.1031 TO**

1 211.1036, if the qualified forest property is converted by a change
2 in use.

3 (10) If qualified forest property is exempt under this
4 section, an owner of that qualified forest property shall annually
5 report to the ~~department of natural resources~~ **ASSESSOR OF THE LOCAL**
6 **TAX COLLECTING UNIT IN WHICH THE QUALIFIED FOREST PROPERTY IS**
7 **LOCATED** on a form prescribed by the department of ~~natural resources~~
8 **TREASURY** the amount of timber produced on that qualified forest
9 property. ~~and whether any buildings or structures have been~~
10 ~~constructed on the qualified forest property.~~ **ONE COPY OF THE**
11 **REPORT SHALL BE RETAINED BY THE LOCAL TAX COLLECTING UNIT, AND 1**
12 **COPY SHALL BE FORWARDED TO THE DEPARTMENT OF TREASURY.** Beginning in
13 2008, and every 3 years thereafter, the department of ~~natural~~
14 ~~resources~~ **TREASURY** shall provide to the standing committees of the
15 senate and house of representatives with primary jurisdiction over
16 forestry issues a report that includes all of the following:

17 (a) The number of acres of qualified forest property in each
18 county.

19 (b) The amount of timber produced on qualified forest property
20 each year.

21 (11) As used in this section:

22 (a) "Approved forest management plan" means 1 of the
23 following:

24 (i) A forest management plan approved by the department of
25 natural resources **AND ENVIRONMENT**. An owner of property may submit
26 a proposed forest management plan to the department of natural
27 resources **AND ENVIRONMENT** for approval. The proposed forest

1 management plan shall include a statement signed by the owner that
2 he or she agrees to comply with all terms and conditions contained
3 in the approved forest management plan. The department of natural
4 resources **AND ENVIRONMENT** may charge a fee of not more than \$200.00
5 for the consideration of each proposed forest management plan
6 submitted. ~~The~~ **IF A PROPOSED FOREST MANAGEMENT PLAN IS SUBMITTED TO**
7 **THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT FOR APPROVAL**
8 **BETWEEN JANUARY 1 AND OCTOBER 1, THE** department of natural
9 resources **AND ENVIRONMENT** shall review and either approve or
10 disapprove each ~~THE~~ proposed forest management plan ~~submitted~~ **NOT**
11 **LATER THAN DECEMBER 31 OR THE PROPOSED FOREST MANAGEMENT PLAN SHALL**
12 **BE CONSIDERED APPROVED.** If the department of natural resources **AND**
13 **ENVIRONMENT** disapproves a proposed forest management plan, the
14 department of natural resources **AND ENVIRONMENT** shall indicate the
15 changes necessary to qualify the proposed forest management plan
16 for approval on subsequent review. At the request of the owner
17 submitting a proposed forest management plan, the department of
18 natural resources **AND ENVIRONMENT** may agree to complete a proposed
19 forest management plan. An owner and the department of natural
20 resources **AND ENVIRONMENT** may mutually agree to amend a proposed
21 forest management plan or an approved forest management plan. A
22 forest management plan submitted to the department of natural
23 resources **AND ENVIRONMENT** for approval shall not extend beyond a
24 period of 20 years. An owner of property may submit a succeeding
25 proposed forest management plan to the department of natural
26 resources **AND ENVIRONMENT** for approval.

27 (ii) A forest management plan certified by a third-party

1 certifying organization.

2 (b) "Converted by a change in use" means that term as defined
3 in section 2 of the qualified forest property recapture tax act,
4 **2006 PA 379, MCL 211.1032.**

5 (c) "Forest products" includes, but is not limited to, timber
6 and pulpwood-related products.

7 (d) "Natural resources professional" and "registered forester"
8 mean those terms as defined in section 51101 of the natural
9 resources and environmental protection act, 1994 PA 451, MCL
10 324.51101.

11 (e) "Proposed forest management plan" means a proposed plan
12 for sustainable forest management that includes, but is not limited
13 to, harvesting, planting, and regeneration of forest products on a
14 parcel of property that is prepared by a qualified forester. A
15 proposed forest management plan shall include all of the following:

16 (i) The name and address of each owner of the property.

17 (ii) The legal description and parcel identification number of
18 the property or of the parcel on which the property is located.

19 (iii) A statement of the owner's forest management objectives.

20 (iv) A map, diagram, or aerial photograph that identified both
21 forested and unforested areas of the property, using conventional
22 map symbols indicating the species, size, and density of vegetation
23 and other major features of the property.

24 (v) A description of the forestry practices, including
25 harvesting, thinning, and reforestation, that will be undertaken,
26 specifying the approximate period of time before each is completed.

27 (vi) A description of soil conservation practices that may be

1 necessary to control any soil erosion that may result from the
2 forestry practices described pursuant to subparagraph (v).

3 (vii) A proposed forest management plan shall also include a
4 description of activities that may be undertaken for the management
5 of forest resources other than trees, including wildlife habitat,
6 watersheds, and aesthetic features.

7 (f) "Qualified forest property" means a parcel of real
8 property that meets all of the following conditions as determined
9 by the department of ~~natural resources~~ **TREASURY**:

10 (i) Is not less than 20 contiguous acres in size, of which not
11 less than 80% is productive forest capable of producing wood
12 products. Contiguity is not broken by a road, a right-of-way, or
13 property purchased or taken under condemnation proceedings by a
14 public utility for power transmission lines if the 2 parcels
15 separated by the purchased or condemned property were a single
16 parcel prior to the sale or condemnation. As used in this
17 subparagraph, "productive forest" means real property capable of
18 growing not less than 20 cubic feet of wood per acre per year.
19 However, if property has been considered productive forest, an act
20 of God that negatively affects that property shall not result in
21 that property not being considered productive forest.

22 (ii) Is stocked with forest products.

23 ~~(iii) Has no buildings or structures located on the real~~
24 ~~property.~~

25 ~~(iii) (iv)~~ Is subject to an approved forest management plan.

26 (g) "Qualified forester" means natural resources professional,
27 a registered forester, or a conservation district forester.

1 (h) "Third-party certifying organization" means an independent
2 third-party organization that assesses and evaluates forest
3 management practices according to the standards of a certification
4 program that measures whether forest management practices are
5 consistent with principles of sustainable forestry. Third-party
6 certifying organization includes, but is not limited to, the forest
7 stewardship council and the sustainable forest initiative.

8 Sec. 27a. (1) Except as otherwise provided in this section,
9 property shall be assessed at 50% of its true cash value under
10 section 3 of article IX of the state constitution of 1963.

11 (2) Except as otherwise provided in subsection (3), for taxes
12 levied in 1995 and for each year after 1995, the taxable value of
13 each parcel of property is the lesser of the following:

14 (a) The property's taxable value in the immediately preceding
15 year minus any losses, multiplied by the lesser of 1.05 or the
16 inflation rate, plus all additions. For taxes levied in 1995, the
17 property's taxable value in the immediately preceding year is the
18 property's state equalized valuation in 1994.

19 (b) The property's current state equalized valuation.

20 (3) Upon a transfer of ownership of property after 1994, the
21 property's taxable value for the calendar year following the year
22 of the transfer is the property's state equalized valuation for the
23 calendar year following the transfer.

24 (4) If the taxable value of property is adjusted under
25 subsection (3), a subsequent increase in the property's taxable
26 value is subject to the limitation set forth in subsection (2)
27 until a subsequent transfer of ownership occurs. If the taxable

1 value of property is adjusted under subsection (3) and the assessor
2 determines that there had not been a transfer of ownership, the
3 taxable value of the property shall be adjusted at the July or
4 December board of review. Notwithstanding the limitation provided
5 in section 53b(1) on the number of years for which a correction may
6 be made, the July or December board of review may adjust the
7 taxable value of property under this subsection for the current
8 year and for the 3 immediately preceding calendar years. A
9 corrected tax bill shall be issued for each tax year for which the
10 taxable value is adjusted by the local tax collecting unit if the
11 local tax collecting unit has possession of the tax roll or by the
12 county treasurer if the county has possession of the tax roll. For
13 purposes of section 53b, an adjustment under this subsection shall
14 be considered the correction of a clerical error.

15 (5) Assessment of property, as required in this section and
16 section 27, is inapplicable to the assessment of property subject
17 to the levy of ad valorem taxes within voted tax limitation
18 increases to pay principal and interest on limited tax bonds issued
19 by any governmental unit, including a county, township, community
20 college district, or school district, before January 1, 1964, if
21 the assessment required to be made under this act would be less
22 than the assessment as state equalized prevailing on the property
23 at the time of the issuance of the bonds. This inapplicability
24 shall continue until levy of taxes to pay principal and interest on
25 the bonds is no longer required. The assessment of property
26 required by this act shall be applicable for all other purposes.

27 (6) As used in this act, "transfer of ownership" means the

1 conveyance of title to or a present interest in property, including
2 the beneficial use of the property, the value of which is
3 substantially equal to the value of the fee interest. Transfer of
4 ownership of property includes, but is not limited to, the
5 following:

6 (a) A conveyance by deed.

7 (b) A conveyance by land contract. The taxable value of
8 property conveyed by a land contract executed after December 31,
9 1994 shall be adjusted under subsection (3) for the calendar year
10 following the year in which the contract is entered into and shall
11 not be subsequently adjusted under subsection (3) when the deed
12 conveying title to the property is recorded in the office of the
13 register of deeds in the county in which the property is located.

14 (c) A conveyance to a trust after December 31, 1994, except if
15 the settlor or the settlor's spouse, or both, conveys the property
16 to the trust and the sole present beneficiary or beneficiaries are
17 the settlor or the settlor's spouse, or both.

18 (d) A conveyance by distribution from a trust, except if the
19 distributee is the sole present beneficiary or the spouse of the
20 sole present beneficiary, or both.

21 (e) A change in the sole present beneficiary or beneficiaries
22 of a trust, except a change that adds or substitutes the spouse of
23 the sole present beneficiary.

24 (f) A conveyance by distribution under a will or by intestate
25 succession, except if the distributee is the decedent's spouse.

26 (g) A conveyance by lease if the total duration of the lease,
27 including the initial term and all options for renewal, is more

1 than 35 years or the lease grants the lessee a bargain purchase
2 option. As used in this subdivision, "bargain purchase option"
3 means the right to purchase the property at the termination of the
4 lease for not more than 80% of the property's projected true cash
5 value at the termination of the lease. After December 31, 1994, the
6 taxable value of property conveyed by a lease with a total duration
7 of more than 35 years or with a bargain purchase option shall be
8 adjusted under subsection (3) for the calendar year following the
9 year in which the lease is entered into. This subdivision does not
10 apply to personal property except buildings described in section
11 14(6) and personal property described in section 8(h), (i), and
12 (j). This subdivision does not apply to that portion of the
13 property not subject to the leasehold interest conveyed.

14 (h) A conveyance of an ownership interest in a corporation,
15 partnership, sole proprietorship, limited liability company,
16 limited liability partnership, or other legal entity if the
17 ownership interest conveyed is more than 50% of the corporation,
18 partnership, sole proprietorship, limited liability company,
19 limited liability partnership, or other legal entity. Unless
20 notification is provided under subsection (10), the corporation,
21 partnership, sole proprietorship, limited liability company,
22 limited liability partnership, or other legal entity shall notify
23 the assessing officer on a form provided by the state tax
24 commission not more than 45 days after a conveyance of an ownership
25 interest that constitutes a transfer of ownership under this
26 subdivision.

27 (i) A transfer of property held as a tenancy in common, except

1 that portion of the property not subject to the ownership interest
2 conveyed.

3 (j) A conveyance of an ownership interest in a cooperative
4 housing corporation, except that portion of the property not
5 subject to the ownership interest conveyed.

6 (7) Transfer of ownership does not include the following:

7 (a) The transfer of property from 1 spouse to the other spouse
8 or from a decedent to a surviving spouse.

9 (b) A transfer from a husband, a wife, or a husband and wife
10 creating or disjoining a tenancy by the entirety in the grantors
11 or the grantor and his or her spouse.

12 (c) A transfer of that portion of property subject to a life
13 estate or life lease retained by the transferor, until expiration
14 or termination of the life estate or life lease. That portion of
15 property transferred that is not subject to a life lease shall be
16 adjusted under subsection (3).

17 (d) A transfer through foreclosure or forfeiture of a recorded
18 instrument under chapter 31, 32, or 57 of the revised judicature
19 act of 1961, 1961 PA 236, MCL 600.3101 to 600.3285 and MCL 600.5701
20 to 600.5759, or through deed or conveyance in lieu of a foreclosure
21 or forfeiture, until the mortgagee or land contract vendor
22 subsequently transfers the property. If a mortgagee does not
23 transfer the property within 1 year of the expiration of any
24 applicable redemption period, the property shall be adjusted under
25 subsection (3).

26 (e) A transfer by redemption by the person to whom taxes are
27 assessed of property previously sold for delinquent taxes.

1 (f) A conveyance to a trust if the settlor or the settlor's
2 spouse, or both, conveys the property to the trust and the sole
3 present beneficiary of the trust is the settlor or the settlor's
4 spouse, or both.

5 (g) A transfer pursuant to a judgment or order of a court of
6 record making or ordering a transfer, unless a specific monetary
7 consideration is specified or ordered by the court for the
8 transfer.

9 (h) A transfer creating or terminating a joint tenancy between
10 2 or more persons if at least 1 of the persons was an original
11 owner of the property before the joint tenancy was initially
12 created and, if the property is held as a joint tenancy at the time
13 of conveyance, at least 1 of the persons was a joint tenant when
14 the joint tenancy was initially created and that person has
15 remained a joint tenant since the joint tenancy was initially
16 created. A joint owner at the time of the last transfer of
17 ownership of the property is an original owner of the property. For
18 purposes of this subdivision, a person is an original owner of
19 property owned by that person's spouse.

20 (i) A transfer for security or an assignment or discharge of a
21 security interest.

22 (j) A transfer of real property or other ownership interests
23 among members of an affiliated group. As used in this subsection,
24 "affiliated group" means 1 or more corporations connected by stock
25 ownership to a common parent corporation. Upon request by the state
26 tax commission, a corporation shall furnish proof within 45 days
27 that a transfer meets the requirements of this subdivision. A

1 corporation that fails to comply with a request by the state tax
2 commission under this subdivision is subject to a fine of \$200.00.

3 (k) Normal public trading of shares of stock or other
4 ownership interests that, over any period of time, cumulatively
5 represent more than 50% of the total ownership interest in a
6 corporation or other legal entity and are traded in multiple
7 transactions involving unrelated individuals, institutions, or
8 other legal entities.

9 (l) A transfer of real property or other ownership interests
10 among corporations, partnerships, limited liability companies,
11 limited liability partnerships, or other legal entities if the
12 entities involved are commonly controlled. Upon request by the
13 state tax commission, a corporation, partnership, limited liability
14 company, limited liability partnership, or other legal entity shall
15 furnish proof within 45 days that a transfer meets the requirements
16 of this subdivision. A corporation, partnership, limited liability
17 company, limited liability partnership, or other legal entity that
18 fails to comply with a request by the state tax commission under
19 this subdivision is subject to a fine of \$200.00.

20 (m) A direct or indirect transfer of real property or other
21 ownership interests resulting from a transaction that qualifies as
22 a tax-free reorganization under section 368 of the internal revenue
23 code, 26 USC 368. Upon request by the state tax commission, a
24 property owner shall furnish proof within 45 days that a transfer
25 meets the requirements of this subdivision. A property owner who
26 fails to comply with a request by the state tax commission under
27 this subdivision is subject to a fine of \$200.00.

1 (n) A transfer of qualified agricultural property, if the
2 person to whom the qualified agricultural property is transferred
3 files an affidavit with the assessor of the local tax collecting
4 unit in which the qualified agricultural property is located and
5 with the register of deeds for the county in which the qualified
6 agricultural property is located attesting that the qualified
7 agricultural property shall remain qualified agricultural property.
8 The affidavit under this subdivision shall be in a form prescribed
9 by the department of treasury. An owner of qualified agricultural
10 property shall inform a prospective buyer of that qualified
11 agricultural property that the qualified agricultural property is
12 subject to the recapture tax provided in the agricultural property
13 recapture act, 2000 PA 261, MCL 211.1001 to 211.1007, if the
14 qualified agricultural property is converted by a change in use. If
15 property ceases to be qualified agricultural property at any time
16 after being transferred, all of the following shall occur:

17 (i) The taxable value of that property shall be adjusted under
18 subsection (3) as of the December 31 in the year that the property
19 ceases to be qualified agricultural property.

20 (ii) The property is subject to the recapture tax provided for
21 under the agricultural property recapture act, 2000 PA 261, MCL
22 211.1001 to 211.1007.

23 (o) A transfer of qualified forest property, if the person to
24 whom the qualified forest property is transferred files an
25 affidavit with the assessor of the local tax collecting unit in
26 which the qualified forest property is located and with the
27 register of deeds for the county in which the qualified forest

1 property is located attesting that the qualified forest property
2 shall remain qualified forest property. The affidavit under this
3 subdivision shall be in a form prescribed by the department of
4 treasury. **ONE COPY OF THE AFFIDAVIT SHALL BE RETAINED BY THE LOCAL**
5 **TAX COLLECTING UNIT, AND 1 COPY SHALL BE FORWARDED TO THE**
6 **DEPARTMENT OF TREASURY.** An owner of qualified forest property shall
7 inform a prospective buyer of that qualified forest property that
8 the qualified forest property is subject to the recapture tax
9 provided in the qualified forest property recapture tax act, 2006
10 PA 379, MCL 211.1031 to 211.1036, if the qualified forest property
11 is converted by a change in use. If property ceases to be qualified
12 forest property at any time after being transferred, all of the
13 following shall occur:

14 (i) The taxable value of that property shall be adjusted under
15 subsection (3) as of the December 31 in the year that the property
16 ceases to be qualified forest property.

17 (ii) The property is subject to the recapture tax provided for
18 under the qualified forest property recapture tax act, 2006 PA 379,
19 MCL 211.1031 to 211.1036.

20 (p) Beginning on the effective date of the amendatory act that
21 added this subdivision, a transfer of land, but not buildings or
22 structures located on the land, which meets 1 or more of the
23 following requirements:

24 (i) The land is subject to a conservation easement under
25 subpart 11 of part 21 of the natural resources and environmental
26 protection act, 1994 PA 451, MCL 324.2140 to 324.2144. As used in
27 this subparagraph, "conservation easement" means that term as

1 defined in section 2140 of the natural resources and environmental
2 protection act, 1994 PA 451, MCL 324.2140.

3 (ii) A transfer of ownership of the land or a transfer of an
4 interest in the land is eligible for a deduction as a qualified
5 conservation contribution under section 170(h) of the internal
6 revenue code, 26 USC 170.

7 (q) A transfer of real property or other ownership interests
8 resulting from a consolidation or merger of a domestic nonprofit
9 corporation that is a boy or girl scout or camp fire girls
10 organization, a 4-H club or foundation, a young men's Christian
11 association, or a young women's Christian association and at least
12 50% of the members of that organization or association are
13 residents of this state.

14 (8) If all of the following conditions are satisfied, the
15 local tax collecting unit shall revise the taxable value of
16 qualified agricultural property taxable on the tax roll in the
17 possession of that local tax collecting unit to the taxable value
18 that qualified agricultural property would have had if there had
19 been no transfer of ownership of that qualified agricultural
20 property since December 31, 1999 and there had been no adjustment
21 of that qualified agricultural property's taxable value under
22 subsection (3) since December 31, 1999:

23 (a) The qualified agricultural property was qualified
24 agricultural property for taxes levied in 1999 and each year after
25 1999.

26 (b) The owner of the qualified agricultural property files an
27 affidavit with the assessor of the local tax collecting unit under

1 subsection (7) (n).

2 (9) If the taxable value of qualified agricultural property is
3 adjusted under subsection (8), the owner of that qualified
4 agricultural property shall not be entitled to a refund for any
5 property taxes collected under this act on that qualified
6 agricultural property before the adjustment under subsection (8).

7 (10) The register of deeds of the county where deeds or other
8 title documents are recorded shall notify the assessing officer of
9 the appropriate local taxing unit not less than once each month of
10 any recorded transaction involving the ownership of property and
11 shall make any recorded deeds or other title documents available to
12 that county's tax or equalization department. Unless notification
13 is provided under subsection (6), the buyer, grantee, or other
14 transferee of the property shall notify the appropriate assessing
15 office in the local unit of government in which the property is
16 located of the transfer of ownership of the property within 45 days
17 of the transfer of ownership, on a form prescribed by the state tax
18 commission that states the parties to the transfer, the date of the
19 transfer, the actual consideration for the transfer, and the
20 property's parcel identification number or legal description. Forms
21 filed in the assessing office of a local unit of government under
22 this subsection shall be made available to the county tax or
23 equalization department for the county in which that local unit of
24 government is located. This subsection does not apply to personal
25 property except buildings described in section 14(6) and personal
26 property described in section 8(h), (i), and (j).

27 (11) As used in this section:

1 (a) "Additions" means that term as defined in section 34d.

2 (b) "Beneficial use" means the right to possession, use, and
3 enjoyment of property, limited only by encumbrances, easements, and
4 restrictions of record.

5 (c) "Converted by a change in use" means that term as defined
6 in the agricultural property recapture act, 2000 PA 261, MCL
7 211.1001 to 211.1007.

8 (d) "Inflation rate" means that term as defined in section
9 34d.

10 (e) "Losses" means that term as defined in section 34d.

11 (f) "Qualified agricultural property" means that term as
12 defined in section 7dd.

13 (g) "Qualified forest property" means that term as defined in
14 section 7jj[1].