

# HOUSE BILL NO. 4560

May 02, 2019, Introduced by Reps. Webber, Brixie and Lilly and referred to the Committee on Commerce and Tourism.

A bill to amend 1980 PA 383, entitled "Convention and tourism marketing act," by amending sections 2 and 4 (MCL 141.882 and 141.884), section 2 as amended by 2018 PA 625.

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

- 1           Sec. 2. As used in this act:
- 2           (a) "Assessment district" means a county having a population
- 3 of more than 1,500,000 and, if so designated by the bureau in the
- 4 marketing program notice, any county or counties contiguous with



1 it.

2 (b) "Assessment revenues" means the money derived from the  
3 assessment, including any interest and penalties on the assessment,  
4 imposed by this act.

5 (c) "Board" means the board of directors of a bureau.

6 (d) "Bureau" means a nonprofit corporation incorporated under  
7 the laws of this state existing solely to promote convention  
8 business and tourism within this state or a portion of this state,  
9 and which complies with all of the following:

10 (i) Has not less than 400 dues paying members, of which not  
11 less than 50 are owners of transient facilities.

12 (ii) Has been actively engaged in promoting convention business  
13 and tourism for not less than 10 years.

14 (iii) Has a board of directors elected by its members.

15 (iv) Has a full-time chief operating officer and not less than  
16 10 full-time employees.

17 (v) Is a member of 1 or more nationally recognized  
18 associations of travel and convention bureaus.

19 (e) "Director" means the president of the Michigan strategic  
20 fund or his or her designee.

21 (f) "Marketing program" means a program established by a  
22 bureau to develop, encourage, solicit, and promote convention  
23 business and tourism within this state or a portion of this state  
24 within which the bureau operates. The encouragement and promotion  
25 of convention business and tourism shall include any service,  
26 function, or activity, whether or not performed, sponsored, or  
27 advertised by a bureau which intends to attract transient guests to  
28 the assessment district.

29 (g) "Marketing program notice" means the notice described in



1 section 3.

2 (h) "Master plan" means the comprehensive, long-range master  
3 plan developed by the Michigan travel commission and the travel  
4 bureau under section 2c of the Michigan tourism policy act, 1945 PA  
5 106, MCL 2.102c.

6 (i) "Owner" means the owner of a transient facility located  
7 within the assessment district or, if the transient facility is  
8 operated or managed by a person other than the owner, then the  
9 operator or manager of that transient facility.

10 (j) "Room" means a room or other space provided for sleeping,  
11 including the furnishings and other accessories in the room.

12 (k) "Assessment" means the amount levied against an owner of a  
13 transient facility within an assessment district computed by  
14 application of the applicable percentage against aggregate room  
15 charges with respect to that transient facility during the  
16 applicable assessment period.

17 (l) "Room charge" means the charge imposed for **a short-term**  
18 **rental or** the use or occupancy of a room, excluding charges for  
19 food, beverages, state use tax, telephone service or like services  
20 paid in connection with the charge, and reimbursement of the  
21 assessment imposed by this act.

22 (m) **"Short-term rental" and "short-term transient facility"**  
23 **mean those terms as defined in the Michigan short-term rental**  
24 **promotion act.**

25 (n) ~~(m)~~—"Transient facility" means **a short-term transient**  
26 **facility or** a building which contains 35 or more rooms used in the  
27 business of providing dwelling, lodging, or sleeping to transient  
28 guests, whether or not membership is required for the use of the  
29 rooms. A transient facility shall not include a hospital or nursing



1 home.

2 (o) ~~(n)~~ "Transient guest" means a natural person who occupies  
3 a room in a transient facility for less than 30 consecutive days  
4 regardless of who pays the room charge.

5 (p) ~~(e)~~ "Travel bureau" means the Michigan travel bureau  
6 created under section 2a of the Michigan tourism policy act, 1945  
7 PA 106, MCL 2.102a.

8 Sec. 4. A marketing program may include all or any of the  
9 following:

10 (a) Provisions for establishing and paying the costs of  
11 advertising, marketing, and promotional programs to encourage  
12 convention business and tourism in the assessment district.

13 (b) Provisions for assisting transient facilities within the  
14 assessment district in promoting convention business and tourism.

15 (c) Provisions for the acquisition of personal property  
16 considered appropriate by the bureau in furtherance of the purposes  
17 of the marketing program.

18 (d) Provisions for the hiring of and payment for personnel  
19 employed by the bureau to implement the marketing program.

20 (e) Provisions for contracting with organizations, agencies,  
21 or persons for carrying out activities in furtherance of the  
22 purposes of the marketing program.

23 (f) Programs for establishing and paying the costs of research  
24 designed to encourage convention business and tourism in the  
25 assessment district.

26 **(g) Provisions clarifying the assessment on room charges for**  
27 **short-term rentals of short-term transient facilities.**

28 Enacting section 1. This amendatory act does not take effect  
29 unless Senate Bill No. \_\_\_\_ or House Bill No. \_\_\_\_ (request no.



**1** 01509'19) of the 100th Legislature is enacted into law.

