

**SUBSTITUTE FOR  
SENATE BILL NO. 1060**

A bill to amend 1893 PA 206, entitled  
"The general property tax act,"  
by amending sections 90, 19, and 30 (MCL 211.90, 211.19, and  
211.30), section 90 as amended by 2021 PA 150, section 19 as  
amended by 2017 PA 261, and section 30 as amended by 2013 PA 153.

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

1           Sec. 90. (1) Beginning December 31, 2013, eligible personal  
2 property for which an exemption has been properly claimed under  
3 this section is exempt from the collection of taxes under this act.

4           (2) An owner of eligible personal property shall claim the  
5 exemption under this section **in 1 of the following ways, as**  
6 **applicable:**

7           **(a) For a claim of exemption as to eligible personal property**

**1 under subsection (9) (c) (ii) (A)**, by filing a statement with the local  
**2 tax collecting unit in which the eligible personal property is**  
**3 located not later than February 20 of the first year the exemption**  
**4 is claimed or, if February 20 of the first year the exemption is**  
**5 claimed is a Saturday, Sunday, or legal holiday, not later than the**  
**6 next day that is not a Saturday, Sunday, or legal holiday. For**  
**7 purposes of a statement delivered by the United States Postal**  
**8 Service, the filing is timely if the postmark date is on or before**  
**9 the filing deadline prescribed in this ~~subsection.~~**subdivision.** If**  
**10 the statement is not timely filed with the local tax collecting**  
**11 unit, a late submission may be filed directly with the March board**  
**12 of review before its final adjournment by submitting the statement**  
**13 prescribed in this ~~subsection.~~**subdivision.** The board of review**  
**14 shall not accept a filing after adjournment of its March meeting.**  
**15 An appeal of a denial by the March board of review may be made by**  
**16 filing a petition with the Michigan tax tribunal within 35 days of**  
**17 the denial notice. A statement filed under this ~~subsection~~**  
**18 **subdivision** must be in a form prescribed by the state tax**  
**19 commission and must include any address where any property owned**  
**20 by, leased to, or in the possession of that owner or a related**  
**21 entity is located within that local tax collecting unit. In the**  
**22 statement, the owner shall attest that the combined true cash value**  
**23 of all industrial personal property and commercial personal**  
**24 property in that local tax collecting unit owned by, leased to, or**  
**25 in the possession of that owner or a related entity on December 31**  
**26 of the immediately preceding year is less than**  
**27 ~~\$180,000.00.~~**\$80,000.00. An exemption granted pursuant to a claim****  
**28 **filed under this subdivision remains in effect if the property's****  
**29 **owner subsequently files a claim for exemption under subdivision****

1 (b) and 1 of the following conditions is met:

2 (i) It is determined that the property does not qualify for the  
3 exemption under this section as eligible personal property under  
4 subsection (9) (c) (ii) (B) but instead continues to qualify for the  
5 exemption under this section as eligible personal property under  
6 subsection (9) (c) (ii) (A) .

7 (ii) After having been granted exempt status as eligible  
8 personal property under subsection (9) (c) (ii) (B) , it is determined  
9 that the property's exempt status has returned to eligible personal  
10 property under subsection (9) (c) (ii) (A) .

11 (b) For a claim of exemption as to eligible personal property  
12 under subsection (9) (c) (ii) (B) , by annually filing a statement of  
13 personal property under section 19 with the local tax collecting  
14 unit in which the eligible personal property is located. Together  
15 with the statement of personal property, the owner shall also file  
16 a statement, in a form and manner prescribed by the department of  
17 treasury, attesting to the combined true cash value of all  
18 industrial personal property and commercial personal property in  
19 that local tax collecting unit owned by, leased to, or in the  
20 possession of that owner or a related entity on December 31 of the  
21 immediately preceding year, and that this combined true cash value  
22 is equal to or greater than \$80,000.00 and less than \$180,000.00.  
23 Not later than April 1 of each year, local tax collecting units  
24 shall transmit to the department of treasury, in a form and manner  
25 prescribed by the department of treasury, summary information of  
26 all exemptions granted each year pursuant to filings made under  
27 this subdivision for purposes of providing the department of  
28 treasury with data needed to compensate municipalities for revenue  
29 lost as a result of those exemptions, as described in section 3a of

1 the Michigan trust fund act, 2000 PA 489, MCL 12.253a. A claim of  
 2 exemption filed under this subdivision must be treated as a claim  
 3 of exemption filed under subdivision (a) if it is determined that  
 4 the property for which the exemption is claimed qualifies for the  
 5 exemption under this section as eligible personal property under  
 6 subsection (9) (c) (ii) (A) .

7 (3) If a statement claiming the exemption under ~~this section~~  
 8 **subsection (2) (a)** is filed as provided in subsection ~~(2)~~, **(2) (a)** ,  
 9 the owner of that eligible personal property is not required to  
 10 file a statement under section 19.

11 (4) A person who claims an exemption for eligible personal  
 12 property under this section shall maintain books and records and  
 13 shall provide access to those books and records as provided in  
 14 section 22. A local unit of government may develop and implement an  
 15 audit program that includes, but is not limited to, the audit of  
 16 all information submitted under subsection (2) for the current  
 17 calendar year and the 3 calendar years immediately preceding the  
 18 commencement of an audit. Any assessment as a result of an audit  
 19 must be paid in full within 35 days of issuance and must include  
 20 interest as described in subsection (5).

21 (5) ~~An~~ **All of the following apply to an** exemption granted  
 22 under this section **pursuant to a claim of exemption filed under**  
 23 **subsection (2) (a) :**

24 (a) **Except as otherwise provided in subsection (2) (a) , the**  
 25 **exemption** remains in effect until the personal property is no  
 26 longer eligible personal property **under subsection (9) (c) (ii) (A) .** An  
 27 owner whose personal property is no longer eligible personal  
 28 property **under this subdivision** shall do 1 of the following, as  
 29 applicable:

1           **(i) If the owner intends to claim that the property is eligible**  
 2 **personal property under subsection (9) (c) (ii) (B) , file for the**  
 3 **exemption under subsection (2) (b) .**

4           **(ii) If the owner does not intend to claim that the property is**  
 5 **eligible personal property under subsection (9) (c) (ii) (B) , file by**  
 6 February 20 of the year that the property is no longer eligible a  
 7 rescission and the statement required under section 19. The  
 8 rescission must be filed on a form prescribed by the department of  
 9 treasury. Upon receipt of a rescission form, the local assessor  
 10 shall immediately remove the exemption.

11           **(b) An owner who fails to file a rescission and whose property**  
 12 **is later determined to be ineligible for the exemption will be**  
 13 **subject to repayment of any additional taxes with interest as**  
 14 **described in this ~~subsection.~~ **subdivision.** Upon discovery that the**  
 15 **property is no longer eligible personal property, the assessor**  
 16 **shall remove the exemption of that personal property and, if the**  
 17 **tax roll is in the local tax collecting unit's possession, amend**  
 18 **the tax roll to reflect the removal of the exemption, and the local**  
 19 **treasurer shall within 30 days of the date of the discovery issue a**  
 20 **corrected tax bill for any additional taxes with interest at the**  
 21 **rate of ~~1%~~ **1.25%** per month or fraction of a month and penalties**  
 22 **computed from the date the taxes were last payable without interest**  
 23 **or penalty. If the tax roll is in the county treasurer's**  
 24 **possession, the tax roll must be amended to reflect the removal of**  
 25 **the exemption and the county treasurer shall within 30 days of the**  
 26 **date of the removal prepare and submit a supplemental tax bill for**  
 27 **any additional taxes, together with interest at the rate of ~~1%~~**  
 28 **1.25% per month or fraction of a month and penalties computed from**  
 29 **the date the taxes were last payable without interest or penalty.**

1 Interest on any tax set forth in a corrected or supplemental tax  
2 bill again begins to accrue 60 days after the date the corrected or  
3 supplemental tax bill is issued at the rate of ~~1%~~ **1.25%** per month  
4 or fraction of a month. Taxes levied in a corrected or supplemental  
5 tax bill must be returned as delinquent on the March 1 in the year  
6 immediately succeeding the year in which the corrected or  
7 supplemental tax bill is issued.

8 (6) If the assessor of the local tax collecting unit believes  
9 that personal property for which a statement claiming an exemption  
10 is timely and properly filed under subsection (2) is not eligible  
11 personal property, the assessor may deny that claim for exemption  
12 by notifying the person that filed the statement in writing of the  
13 reason for the denial and advising the person that the denial may  
14 be appealed to the board of review under section 30 during that tax  
15 year.

16 (7) **The assessor may deny a claim for exemption granted under**  
17 **this section pursuant to a claim of exemption filed under**  
18 **subsection (2) (a) or (b) for the current year and for the 3**  
19 **immediately preceding calendar years. If the assessor denies a**  
20 **claim for exemption under this subsection, the assessor shall**  
21 **remove the exemption of that personal property and, if the tax roll**  
22 **is in the local tax collecting unit's possession, amend the tax**  
23 **roll to reflect the denial and the local treasurer shall within 30**  
24 **days of the date of the denial issue a corrected tax bill for any**  
25 **additional taxes with interest at the rate of 1.25% per month or**  
26 **fraction of a month and penalties computed from the date the taxes**  
27 **were last payable without interest or penalty. If the tax roll is**  
28 **in the county treasurer's possession, the tax roll must be amended**  
29 **to reflect the denial and the county treasurer shall within 30 days**

1 of the date of the denial prepare and submit a supplemental tax  
2 bill for any additional taxes, together with interest at the rate  
3 of 1.25% per month or fraction of a month and penalties computed  
4 from the date the taxes were last payable without interest or  
5 penalty. Interest on any tax set forth in a corrected or  
6 supplemental tax bill again begins to accrue 60 days after the date  
7 the corrected or supplemental tax bill is issued at the rate of  
8 1.25% per month or fraction of a month. Taxes levied in a corrected  
9 or supplemental tax bill must be returned as delinquent on the  
10 March 1 in the year immediately succeeding the year in which the  
11 corrected or supplemental tax bill is issued.

12 (8) ~~(7)~~—If a person fraudulently claims an exemption for  
13 personal property under this section, that person is subject to the  
14 penalties provided for in section 21(2).

15 (9) ~~(8)~~—As used in this section:

16 (a) "Commercial personal property" means personal property  
17 that is classified as commercial personal property under section  
18 34c or would be classified as commercial personal property under  
19 section 34c if not exempt from the collection of taxes under this  
20 act under this section or section 9m or 9n.

21 (b) "Control", "controlled by", and "under common control  
22 with" mean the possession of the power to direct or cause the  
23 direction of the management and policies of a related entity,  
24 directly or indirectly, whether derived from a management position,  
25 official office, or corporate office held by an individual; by an  
26 ownership interest, beneficial interest, or equitable interest; or  
27 by contractual agreement or other similar arrangement. There is a  
28 rebuttable presumption that control exists if any person, directly  
29 or indirectly, owns, controls, or holds the power to vote, directly

1 or by proxy, 10% or more of the ownership interest of any other  
2 person or has contributed more than 10% of the capital of the other  
3 person. Indirect ownership includes ownership through attribution  
4 or through 1 or more intermediary entities.

5 (c) "Eligible personal property" means property that meets all  
6 of the following conditions:

7 (i) Is industrial personal property or commercial personal  
8 property.

9 (ii) The combined true cash value of all industrial personal  
10 property and commercial personal property in that local tax  
11 collecting unit owned by, leased to, or in the possession of the  
12 person claiming an exemption under this section or a related entity  
13 on December 31 of the immediately preceding year is **1 of the**  
14 **following:**

15 (A) **Less than \$80,000.00.**

16 (B) **Equal to or greater than \$80,000.00 and less than**  
17 **\$180,000.00.**

18 (iii) Is not leased to or used by a person that previously owned  
19 the property or a person that, directly or indirectly, controls, is  
20 controlled by, or is under common control with the person that  
21 previously owned the property.

22 (d) "Industrial personal property" means personal property  
23 that is classified as industrial personal property under section  
24 34c or would be classified as industrial personal property under  
25 section 34c if not exempt from the collection of taxes under this  
26 act under this section or section 9m or 9n.

27 (e) "Person" means an individual, partnership, corporation,  
28 association, limited liability company, or any other legal entity.

29 (f) "Related entity" means a person that, directly or



1 indirectly, controls, is controlled by, or is under common control  
2 with the person claiming an exemption under this section.

3       Sec. 19. (1) A supervisor or other assessing officer, as soon  
4 as possible after entering upon the duties of his or her office or  
5 as required under the provisions of any charter that makes special  
6 provisions for the assessment of property, shall ascertain the  
7 taxable property in his or her assessing district, the person to  
8 whom it should be assessed, and that person's residence.

9       (2) Except as otherwise provided in section 9m, 9n, or ~~9o~~  
10 **9o(3)**, the supervisor or other assessing officer shall require any  
11 person whom he or she believes has personal property in their  
12 possession to make a statement of all the personal property of that  
13 person whether owned by that person or held for the use of another  
14 to be completed and delivered to the supervisor or assessor by  
15 February 20 of each year, or, if February 20 of a year is a  
16 Saturday, Sunday, or legal holiday, the next day that is not a  
17 Saturday, Sunday, or legal holiday of that year. For purposes of a  
18 statement delivered by the United States Postal Service, the  
19 delivery is timely if the postmark date is on or before the  
20 delivery deadline prescribed in this subsection. If the statement  
21 is not timely delivered to the supervisor or other assessing  
22 officer, a late submission may be filed directly with the March  
23 board of review before its final adjournment by submitting the  
24 statement prescribed in this subsection. The board of review shall  
25 not accept a filing after adjournment of its March meeting. An  
26 appeal of a denial by the March board of review may be made by  
27 filing a petition with the Michigan tax tribunal within 35 days of  
28 the denial notice. A notice the supervisor or other assessing  
29 officer provides regarding the statement required under this

1 subsection ~~shall~~**must** also do all of the following:

2 (a) Notify the person to whom such notice is given of the  
3 exemptions available under sections 9m, 9n, and 9o.

4 (b) Explain where information about those exemptions, the  
5 forms and requirements for claiming those exemptions, and the forms  
6 for the statement otherwise required under this section are  
7 available.

8 (c) Be sent or delivered by not later than January 10 of each  
9 year.

10 (3) If a supervisor, an assessing officer, a county tax or  
11 equalization department provided for in section 34, or the state  
12 tax commission considers it necessary to require from any person a  
13 statement of real property assessable to that person, it shall  
14 notify the person, and that person shall submit the statement.

15 (4) A local tax collecting unit may provide for the electronic  
16 filing of the statement required under subsection (2) or (3).

17 (5) A statement under subsection (2) or (3) ~~shall~~**must** be in a  
18 form prescribed by the state tax commission. If a local tax  
19 collecting unit has provided for electronic filing of the statement  
20 under subsection (4), the filing format ~~shall~~**must** be **as** prescribed  
21 by the state tax commission. The state tax commission shall not  
22 prescribe more than 1 format for electronically filing a statement  
23 under subsection (2) or more than 1 format for electronically  
24 filing a statement under subsection (3).

25 (6) A statement under subsection (2) or (3) ~~shall~~**must** be  
26 signed manually, by facsimile, or electronically. A supervisor or  
27 assessor shall not require that a statement required under  
28 subsection (2) or (3) be filed by February 20 of each year.

29 (7) A supervisor or assessor shall not accept a statement

1 under subsection (2) or (3) as final or sufficient if that  
 2 statement is not in the proper form or does not contain a manual,  
 3 facsimile, or electronic signature. A supervisor or assessor shall  
 4 preserve a statement that is not in the proper form or is not  
 5 signed as in other cases, and that statement may be used to make  
 6 the assessment and as evidence in any proceeding regarding the  
 7 assessment of the person furnishing that statement.

8 (8) An electronic or facsimile signature ~~or~~ for a statement  
 9 required under this section, ~~or~~ a statement required under section  
 10 ~~9e, 9o(2)(a) or (b)~~, or a combined document required under section  
 11 9m or 9n ~~or~~ under section 7 of the state essential services  
 12 assessment act, 2014 PA 92, MCL 211.1057, ~~shall~~**must** be accepted by  
 13 a local tax collecting unit.

14 (9) The department of treasury's use of a statement, or  
 15 information on a statement, provided under this subsection is  
 16 subject to section 28(1)(f) of 1941 PA 122, MCL 205.28.

17 Sec. 30. (1) Except as otherwise provided in subsection (2),  
 18 the board of review shall meet on the second Monday in March.

19 (2) The governing body of the city or township may authorize,  
 20 by adoption of an ordinance or resolution, alternative starting  
 21 dates in March when the board of review shall initially meet, which  
 22 alternative starting dates ~~shall~~**must** be the Tuesday or Wednesday  
 23 following the second Monday of March.

24 (3) The first meeting of the board of review ~~shall~~**must** start  
 25 not earlier than 9 a.m. and not later than 3 p.m. and last for ~~not~~  
 26 ~~less than~~**at least** 6 hours. The board of review shall also meet for  
 27 ~~not less than~~**at least** 6 hours during the remainder of that week.  
 28 Persons or their agents who have appeared to file a protest before  
 29 the board of review at a scheduled meeting or at a scheduled

1 appointment ~~shall~~**must** be afforded an opportunity to be heard by  
2 the board of review. The board of review shall schedule a final  
3 meeting after the board of review makes a change in the assessed  
4 value or tentative taxable value of property, adds property to the  
5 assessment roll, or exempts personal property under section 9m, 9n,  
6 or 9o and removes it from the assessment roll. The board of review  
7 shall hold at least 3 hours of its required sessions for review of  
8 assessment rolls during the week of the second Monday in March  
9 after 6 p.m.

10 (4) A board of review shall meet a total of at least 12 hours  
11 during the week beginning the second Monday in March to hear  
12 protests. At the request of a person whose property is assessed on  
13 the assessment roll or of his or her agent, and if sufficient cause  
14 is shown, the board of review shall correct the assessed value or  
15 tentative taxable value of the property in a manner that will make  
16 the valuation of the property relatively just and proper under this  
17 act. For the appeal of a denial of a claim of exemption for  
18 personal property under section 9m, 9n, or 9o, ~~or for an appeal~~  
19 ~~under section 9o(7),~~ if an exemption is approved, the board of  
20 review shall remove the personal property from the assessment roll.  
21 The board of review may examine under oath the person making the  
22 application, or any other person concerning the matter. A member of  
23 the board of review may administer the oath. A nonresident taxpayer  
24 may file his or her appearance, protest, and papers in support of  
25 the protest by letter, and his or her personal appearance is not  
26 required. The board of review, on its own motion, may change  
27 assessed values or tentative taxable values or add to the roll  
28 property omitted from the roll that is liable to assessment if the  
29 person who is assessed for the altered valuation or for the omitted

1 property is promptly notified and granted an opportunity to file  
2 objections to the change at the meeting or at a subsequent meeting.  
3 An objection to a change in assessed value or tentative taxable  
4 value or to the addition of property to the tax roll ~~shall~~**must** be  
5 promptly heard and determined. Each person who makes a request,  
6 protest, or application to the board of review for the correction  
7 of the assessed value or tentative taxable value of the person's  
8 property or for the exemption of that person's personal property  
9 under section 9m, 9n, or 9o ~~shall~~**must** be notified in writing, not  
10 later than the first Monday in June, of the board of review's  
11 action on the request, protest, or application, of the state  
12 equalized valuation or tentative taxable value of the property, and  
13 of information regarding the right of further appeal to the tax  
14 tribunal. Information regarding the right of further appeal to the  
15 tax tribunal ~~shall~~**must** include, but is not limited to, a statement  
16 of the right to appeal to the tax tribunal, the address of the tax  
17 tribunal, and the final date for filing an appeal with the tax  
18 tribunal.

19 (5) If an exemption for personal property under section 9m,  
20 9n, or 9o is approved, the board of review shall file an affidavit  
21 with the proper officials involved in the assessment and collection  
22 of taxes and all affected official records ~~shall~~**must** be corrected.  
23 If the board of review does not approve an exemption under section  
24 9m, 9n, or 9o, the person claiming the exemption for that personal  
25 property may appeal that decision in writing to the Michigan tax  
26 tribunal. A correction under this subsection that approves an  
27 exemption under section 9o may be made for the year in which the  
28 appeal was filed and the immediately preceding 3 tax years. A  
29 correction under this subsection that approves an exemption under

1 section 9m or 9n may be made only for the year in which the appeal  
2 was filed.

3 (6) After the board of review completes the review of the  
4 assessment roll, a majority of the board of review shall indorse  
5 the roll and sign a statement to the effect that the roll is the  
6 assessment roll for the year in which it has been prepared and  
7 approved by the board of review.

8 (7) The **appropriate assessing officer shall deliver the**  
9 completed assessment roll ~~shall be delivered by the appropriate~~  
10 ~~assessing officer~~ to the county equalization director not later  
11 than the tenth day after the adjournment of the board of review, or  
12 the Wednesday following the first Monday in April, whichever date  
13 occurs first.

14 (8) The governing body of the township or city may authorize,  
15 by adoption of an ordinance or resolution, a resident taxpayer to  
16 file his or her protest before the board of review by letter  
17 without a personal appearance by the taxpayer or his or her agent.  
18 If that ordinance or resolution is adopted, the township or city  
19 shall include a statement notifying taxpayers of this option in  
20 each assessment notice under section 24c and on each notice or  
21 publication of the meeting of the board of review.

22 Enacting section 1. This amendatory act takes effect December  
23 31, 2022.

24 Enacting section 2. This amendatory act does not take effect  
25 unless all of the following bills of the 101st Legislature are  
26 enacted into law:

27 (a) Senate Bill No. 1061.

28 (b) Senate Bill No. 1062.