

**SUBSTITUTE FOR
HOUSE BILL NO. 5435**

A bill to amend 2005 PA 210, entitled
"Commercial rehabilitation act,"
by amending section 12 (MCL 207.852).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 12. **(1)** The legislative body of the qualified local
2 governmental unit may, by resolution, revoke the commercial
3 rehabilitation exemption certificate of a facility if it finds that
4 the completion of rehabilitation of the qualified facility has not
5 occurred within the time authorized by the legislative body in the
6 exemption certificate or a duly authorized extension of that time,
7 or that the holder of the commercial rehabilitation exemption
8 certificate has not proceeded in good faith with the operation of
9 the qualified facility in a manner consistent with the purposes of
10 this act and in the absence of circumstances that are beyond the

1 control of the holder of the exemption certificate.

2 (2) UPON RECEIPT OF A REQUEST BY CERTIFIED MAIL TO THE
3 LEGISLATIVE BODY OF THE QUALIFIED LOCAL GOVERNMENTAL UNIT BY THE
4 HOLDER OF A COMMERCIAL REHABILITATION EXEMPTION CERTIFICATE
5 REQUESTING REVOCATION OF THE CERTIFICATE, THE LEGISLATIVE BODY OF
6 THE QUALIFIED LOCAL GOVERNMENTAL UNIT MAY, BY RESOLUTION, REVOKE
7 THE CERTIFICATE IN WHOLE OR REVOKE THE CERTIFICATE.

8 (3) UPON THE WRITTEN REQUEST OF THE HOLDER OF A REVOKED
9 COMMERCIAL REHABILITATION EXEMPTION CERTIFICATE TO THE LEGISLATIVE
10 BODY OF THE QUALIFIED LOCAL GOVERNMENTAL UNIT AND THE COMMISSION OR
11 UPON THE APPLICATION OF A SUBSEQUENT OWNER TO THE LEGISLATIVE BODY
12 OF THE QUALIFIED LOCAL GOVERNMENTAL UNIT TO TRANSFER THE REVOKED
13 COMMERCIAL REHABILITATION EXEMPTION CERTIFICATE TO A SUBSEQUENT
14 OWNER, AND THE SUBMISSION TO THE COMMISSION OF A RESOLUTION OF
15 CONCURRENCE BY THE LEGISLATIVE BODY OF THE QUALIFIED LOCAL
16 GOVERNMENTAL UNIT IN WHICH THE QUALIFIED FACILITY IS LOCATED, AND
17 IF THE QUALIFIED FACILITY CONTINUES TO QUALIFY UNDER THIS ACT, THE
18 COMMISSION MAY REINSTATE A REVOKED COMMERCIAL REHABILITATION
19 EXEMPTION CERTIFICATE FOR THE HOLDER OR A SUBSEQUENT OWNER THAT HAS
20 APPLIED FOR THE TRANSFER.