

**SUBSTITUTE FOR  
SENATE BILL NO. 1061**

A bill to amend 1893 PA 206, entitled  
"The general property tax act,"  
(MCL 211.1 to 211.157) by adding section 8d.

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

1        SEC. 8D. (1) QUALIFIED VENDING MACHINE PROPERTY THE OWNER  
2 OF WHICH IS A QUALIFIED BUSINESS SHALL BE ASSESSED TO THE OWNER  
3 AT THE LOCATION OF THE QUALIFIED VENDING MACHINE PROPERTY'S SERV-  
4 ICE CENTER AND IS NOT ASSESSABLE AT THE QUALIFIED VENDING MACHINE  
5 PROPERTY'S LOCATION ON TAX DAY AS PROVIDED IN SECTION 2 IF ALL OF  
6 THE FOLLOWING CONDITIONS ARE SATISFIED:  
7        (A) THE LOCATION OF THE QUALIFIED VENDING MACHINE PROPERTY'S  
8 SERVICE CENTER IS IN THIS STATE AND THE QUALIFIED VENDING MACHINE  
9 PROPERTY IS LOCATED IN THIS STATE ON TAX DAY AS PROVIDED IN  
10 SECTION 2.

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1 (B) THE QUALIFIED VENDING MACHINE PROPERTY IS LABELED WITH  
2 THE NAME OF THE OWNER AND EITHER THE BUSINESS ADDRESS OR CURRENT  
3 TELEPHONE NUMBER OF THE OWNER, AND WITH AN INDICATION THAT THE  
4 PROPERTY IS QUALIFIED VENDING MACHINE PROPERTY IN A FORM  
5 DESCRIBED BY THE STATE TAX COMMISSION.

6 (C) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, NOT  
7 LATER THAN FEBRUARY 20 OF EACH YEAR, THE OWNER OF THE QUALIFIED  
8 VENDING MACHINE PROPERTY PROVIDES THE ASSESSOR OF THE CITY OR  
9 TOWNSHIP IN WHICH THE QUALIFIED VENDING MACHINE PROPERTY'S SERV-  
10 ICE CENTER IS LOCATED AN ITEMIZED LISTING OF THE OWNER'S QUALI-  
11 FIED VENDING MACHINE PROPERTY, AS OF TAX DAY. AN ITEMIZED LIST-  
12 ING OF QUALIFIED VENDING MACHINE PROPERTY PROVIDED UNDER THIS  
13 SUBDIVISION IS NOT SUBJECT TO THE DISCLOSURE REQUIREMENTS OF THE  
14 FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.  
15 THE OWNER OF QUALIFIED VENDING MACHINE PROPERTY IS NOT REQUIRED  
16 TO PROVIDE AN ITEMIZED LISTING OF THE OWNER'S QUALIFIED VENDING  
17 MACHINE PROPERTY IN ANY YEAR IN WHICH ALL OF THE FOLLOWING CONDI-  
18 TIONS ARE SATISFIED:

19 (i) THE OWNER PREVIOUSLY PROVIDED THE ASSESSOR OF THE CITY  
20 OR TOWNSHIP IN WHICH THE QUALIFIED VENDING MACHINE PROPERTY'S  
21 SERVICE CENTER IS LOCATED AN ITEMIZED LISTING OF THE OWNER'S  
22 QUALIFIED VENDING MACHINE PROPERTY.

23 (ii) THERE IS NO CHANGE TO THE PREVIOUSLY PROVIDED ITEMIZED  
24 LISTING OF THE OWNER'S QUALIFIED VENDING MACHINE PROPERTY.

25 (iii) THE OWNER VERIFIES THAT THERE IS NO CHANGE TO THE PRE-  
26 VIOUSLY PROVIDED ITEMIZED LISTING ON A FORM PRESCRIBED BY THE  
27 STATE TAX COMMISSION.

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1 (D) NOT LATER THAN FEBRUARY 20 OF EACH TAX YEAR, THE OWNER  
2 OF THE QUALIFIED VENDING MACHINE PROPERTY SHALL GIVE THE ASSESSOR  
3 OF THE CITY OR TOWNSHIP IN WHICH THE QUALIFIED VENDING MACHINE  
4 PROPERTY'S SERVICE CENTER IS LOCATED WRITTEN AUTHORIZATION ON A  
5 FORM PRESCRIBED BY THE STATE TAX COMMISSION TO PROVIDE A COPY OF  
6 THE ITEMIZED LISTING PROVIDED PURSUANT TO SUBDIVISION (C) TO THE  
7 ASSESSOR OF ANY OTHER LOCAL TAX COLLECTING UNIT IN WHICH THE  
8 QUALIFIED VENDING MACHINE PROPERTY MAY HAVE BEEN PHYSICALLY  
9 LOCATED ON TAX DAY.

10 (E) IF THE OWNER OF QUALIFIED VENDING MACHINE PROPERTY IS  
11 REQUIRED TO PROVIDE A WRITTEN STATEMENT PURSUANT TO SECTION 18 TO  
12 ANY LOCAL TAX COLLECTING UNIT OTHER THAN THE LOCAL TAX COLLECTING  
13 UNIT IN WHICH THE QUALIFIED VENDING MACHINE PROPERTY IS ASSES-  
14 SABLE UNDER THIS SUBSECTION, THE WRITTEN STATEMENT SHALL INCLUDE  
15 A WRITTEN STATEMENT INDICATING THE TAX COLLECTING UNIT IN WHICH  
16 THE OWNER'S QUALIFIED VENDING MACHINE PROPERTY IS BEING  
17 REPORTED.

18 (2) THE OWNER'S REPORTING OF QUALIFIED VENDING MACHINE PROP-  
19 ERTY IS SUBJECT TO AUDIT BY ANY OF THE FOLLOWING:

20 (A) ANY LOCAL TAX COLLECTING UNIT IN WHICH THE QUALIFIED  
21 VENDING MACHINE PROPERTY IS LOCATED ON TAX DAY.

22 (B) THE LOCAL TAX COLLECTING UNIT IN WHICH THE QUALIFIED  
23 VENDING MACHINE PROPERTY'S SERVICE CENTER IS LOCATED.

24 (C) THE COUNTY EQUALIZATION DEPARTMENT OF A COUNTY IN WHICH  
25 THE QUALIFIED VENDING MACHINE PROPERTY IS LOCATED ON TAX DAY OR  
26 IN WHICH THE QUALIFIED VENDING MACHINE PROPERTY'S SERVICE CENTER  
27 IS LOCATED.

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1 (D) THE STATE TAX COMMISSION.

2 (3) THE TANGIBLE PERSONAL PROPERTY OF THE OWNER OF QUALIFIED  
3 VENDING MACHINE PROPERTY THAT IS NOT ASSESSABLE AS PROVIDED IN  
4 SUBSECTION (1) IS ASSESSABLE AS PROVIDED IN SECTION 2.

5 (4) AS USED IN THIS SECTION:

6 (A) "BUSINESS" MEANS A CORPORATION, PARTNERSHIP, SOLE PRO-  
7 PRIETORSHIP, FIRM, ENTERPRISE, FRANCHISE, ASSOCIATION, ORGANIZA-  
8 TION, SELF-EMPLOYED INDIVIDUAL, HOLDING COMPANY, JOINT STOCK COM-  
9 PANY, LIMITED LIABILITY COMPANY, RECEIVERSHIP, TRUST, ACTIVITY,  
10 OR OTHER LEGAL ENTITY THAT IS ORGANIZED FOR PROFIT OR NONPROFIT  
11 PURPOSES.

12 (B) "OWNER" MEANS THE CORPORATION, PARTNERSHIP, SOLE PROPRI-  
13 ETORSHIP, FIRM, ENTERPRISE, FRANCHISE, ASSOCIATION, ORGANIZATION,  
14 SELF-EMPLOYED INDIVIDUAL, HOLDING COMPANY, JOINT STOCK COMPANY,  
15 LIMITED LIABILITY COMPANY, RECEIVERSHIP, TRUST, ACTIVITY, OR  
16 OTHER LEGAL ENTITY THAT OWNS QUALIFIED VENDING MACHINE PROPERTY.

17 (C) "QUALIFIED BUSINESS" MEANS 1 OR MORE OF THE FOLLOWING:

18 (i) A BUSINESS THE PRIMARY PUR-  
19 POSE OF WHICH IS THE RETAIL SALE OF FOOD, BEVERAGES, OR TANGIBLE  
20 PERSONAL PROPERTY FROM QUALIFIED VENDING MACHINE PROPERTY.

(ii) A BUSINESS ENGAGED IN THE MANUFACTURE OF BEVERAGES. A  
PORTION OF WHICH ARE DISTRIBUTED THROUGH QUALIFIED VENDING MACHINE  
PROPERTY.

21 (D) "QUALIFIED VENDING MACHINE PROPERTY" MEANS TANGIBLE PER-  
22 SONAL PROPERTY THAT IS A SELF-SERVICE DEVICE THAT, UPON INSERTION  
23 OF A COIN, TOKEN, CARD, OR PAPER CURRENCY, DISPENSES FOOD, BEVER-  
24 AGES, OR TANGIBLE PERSONAL PROPERTY, WHICH, WHEN OFFERED FOR USE,  
25 IS NOT LOCATED ON REAL PROPERTY AN OWNER OF WHICH IS ALSO THE  
26 OWNER OF THAT TANGIBLE PERSONAL PROPERTY. QUALIFIED VENDING  
MACHINE PROPERTY DOES NOT INCLUDE ANY OF THE FOLLOWING:

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1           (i) AN AUTOMATIC TELLER MACHINE.

2           (ii) A PUMP THAT DISPENSES GASOLINE, DIESEL MOTOR FUEL,  
3 KEROSENE, LIQUEFIED PETROLEUM GAS, OR ANY OTHER FUEL.

4           (E) "SERVICE CENTER" MEANS THE PRIMARY LOCATION AT WHICH  
5 QUALIFIED VENDING MACHINE PROPERTY IS STORED, MAINTAINED, OR  
6 REPAIRED WHEN NOT OFFERED FOR PUBLIC USE.