

# HOUSE BILL No. 5433

November 1, 2001, Introduced by Reps. Kooiman, Woronchak, Pestka, Murphy, Voorhees, Drolet, Vander Veen, Toy, Van Woerkom, Kuipers, Hummel, Vear, DeWeese, Birkholz, Gosselin, Lipsey, Hart, Hansen, Newell, Cameron Brown, Stewart, Meyer, Whitmer, Shackleton, Hager, Bovin, Phillips, Kolb, Jelinek, Jansen, Gilbert, Schauer, Thomas, Anderson, Bernero, Richardville and Lemmons and referred to the Committee on Tax Policy.

A bill to amend 1967 PA 281, entitled  
"Income tax act of 1967,"  
(MCL 206.1 to 206.532) by adding section 270.

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

1        SEC. 270. (1) FOR TAX YEARS THAT BEGIN AFTER DECEMBER 31,  
2 2001, A TAXPAYER MAY CLAIM A CREDIT AGAINST THE TAX IMPOSED BY  
3 THIS ACT EQUAL TO 50% OF A QUALIFIED CONTRIBUTION DONATED BY THE  
4 TAXPAYER DURING THE TAX YEAR TO A SCHOOL DISTRICT, IF AT LEAST  
5 50% OF THE ACTUAL PUPILS IN MEMBERSHIP IN THAT SCHOOL DISTRICT  
6 MET THE INCOME ELIGIBILITY CRITERIA FOR FREE BREAKFAST, LUNCH, OR  
7 MILK IN THE IMMEDIATELY PRECEDING STATE FISCAL YEAR, AS DETER-  
8 MINED UNDER THE RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT,  
9 CHAPTER 281, 60 STAT. 230, 42 U.S.C. 1751 TO 1753, 1755 TO 1762a,  
10 1765 TO 1766a, 1769, 1769b TO 1769c, AND 1769f TO 1769h, AND  
11 REPORTED TO THE DEPARTMENT OF EDUCATION BY OCTOBER 31 OF THE

1 IMMEDIATELY PRECEDING FISCAL YEAR AND ADJUSTED NOT LATER THAN  
2 DECEMBER 31 OF THE IMMEDIATELY PRECEDING FISCAL YEAR.

3 (2) IF THE CREDIT ALLOWED UNDER THIS SECTION EXCEEDS THE TAX  
4 LIABILITY OF THE TAXPAYER FOR THE TAX YEAR, THAT PORTION OF THE  
5 CREDIT THAT EXCEEDS THE TAX LIABILITY SHALL BE REFUNDED.

6 (3) AS USED IN THIS SECTION:

7 (A) "QUALIFIED CONTRIBUTION" MEANS A CASH OR IN-KIND CONTRI-  
8 BUTION OR EXPENDITURE USED BY A SCHOOL DISTRICT TO ACQUIRE, FUR-  
9 NISH, EQUIP, PURCHASE, IMPROVE, ENLARGE, OPERATE, OR MAINTAIN  
10 BUILDINGS, AUTOMOBILE PARKING LOTS OR STRUCTURES, RECREATIONAL  
11 FACILITIES, STADIUMS, AND THE NECESSARY SITE OR SITES FOR ANY  
12 SUCH BUILDINGS, STRUCTURES, OR FACILITIES TOGETHER WITH THE  
13 APPURTENANT PROPERTIES AND FACILITIES NECESSARY OR CONVENIENT FOR  
14 THE EFFECTIVE USE OF THE BUILDINGS, STRUCTURES, OR FACILITIES BY  
15 THE SCHOOL DISTRICT.

16 (B) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT, LOCAL ACT  
17 SCHOOL DISTRICT, OR INTERMEDIATE SCHOOL DISTRICT AS THOSE TERMS  
18 ARE DEFINED IN THE REVISED SCHOOL CODE, 1976 PA 451, MCL 380.1 TO  
19 380.1852, OR A PUBLIC SCHOOL ACADEMY OPERATED UNDER THE REVISED  
20 SCHOOL CODE, 1976 PA 451, MCL 380.1 TO 380.1852.