

# HOUSE BILL No. 4872

June 19, 2003, Introduced by Reps. Tobocman, Farrah, Plakas, Hunter, O'Neil, Huizenga, Stewart, DeRoche, Hune, Gaffney, Stahl, Cheeks, Paletko, Waters, Rivet, Gleason, Accavitti, Condino, Vagnozzi and Kooiman and referred to the Committee on Commerce.

A bill to amend 1992 PA 147, entitled  
"Neighborhood enterprise zone act,"  
by amending section 4 (MCL 207.774), as amended by 2002 PA 608.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 4. (1) The owner or developer or prospective owner or  
2 developer of a proposed new facility or an owner or developer or  
3 prospective developer proposing to rehabilitate property located  
4 in a neighborhood enterprise zone may file an application for a  
5 neighborhood enterprise zone certificate with the clerk of the  
6 local governmental unit. The application shall be filed in the  
7 manner and form prescribed by the commission. Except as provided  
8 in subsection (2), the application shall be filed before a  
9 building permit is issued for the new construction or  
10 rehabilitation of the facility.

11       (2) An application may be filed after a building permit is

1 issued only if 1 or more of the following apply:

2 (a) For the rehabilitation of a facility if the area in which  
3 the facility is located is designated as a neighborhood  
4 enterprise zone by the governing body of the local governmental  
5 unit in the calendar year 1992 and if the building permit is  
6 issued for the rehabilitation before December 31, 1994 and after  
7 the date on which the area in which the facility is located was  
8 designated as a neighborhood enterprise zone by the governing  
9 body of the local governmental unit.

10 (b) For the construction of a new facility if the area in  
11 which the new facility is located is designated as a neighborhood  
12 enterprise zone by the governing body of the local governmental  
13 unit in calendar year 1992 or 1993 and if the building permit is  
14 issued for that new facility before December 31, 1995 and after  
15 January 1, 1993.

16 (c) For the construction of a new facility if the area in  
17 which the new facility is located is designated as a neighborhood  
18 enterprise zone by the governing body of the local governmental  
19 unit in July 1997 and if the building permit is issued for that  
20 new facility on February 3, 1998.

21 (d) For a new facility or a rehabilitated facility if the  
22 area in which the new facility or rehabilitated facility is  
23 located was designated as a neighborhood enterprise zone by the  
24 governing body of the local governmental unit in July 1996 and if  
25 the building permit was issued for that facility on or before  
26 July 3, 2001.

27 (e) For a new facility or a rehabilitated facility if the

1 area in which the new facility or rehabilitated facility is  
2 located was designated as a neighborhood enterprise zone by the  
3 governing body of the local governmental unit in October 1994 and  
4 if the building permit was issued for that facility on or before  
5 April 25, 1997.

6 (3) The application shall contain or be accompanied by all of  
7 the following:

8 (a) A general description of the new facility or proposed  
9 rehabilitated facility.

10 (b) The dimensions of the parcel on which the new facility or  
11 proposed rehabilitated facility is or is to be located.

12 (c) The general nature and extent of the construction to be  
13 undertaken.

14 (d) A time schedule for undertaking and completing the  
15 rehabilitation of property or the construction of the new  
16 facility.

17 (e) Any other information required by the local governmental  
18 unit.

19 (4) Notwithstanding any other provisions of this act, for any  
20 certificate issued as a result of the enactment of the amendatory  
21 act that added subsection (2)(c), the effective date of the  
22 certificate shall be the first day of the tax year following the  
23 year the certificate is approved by the commission.

24 (5) Notwithstanding any other provisions of this act, for any  
25 certificate issued as a result of the enactment of the amendatory  
26 act that added subsection (2)(d) **or the amendatory act that added**  
27 **subsection (2)(e)**, the effective date of the certificate shall be

1 January 1, 2001.