

# SENATE BILL No. 867

December 2, 2003, Introduced by Senators VAN WOERKOM, SANBORN, ALLEN and BROWN and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 51105 (MCL 324.51105), as amended by 1996 PA 451.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 51105. (1) Commercial forests are not subject to the  
2 ~~ad valorem general property tax~~ **collection of taxes under the**  
3 **general property tax act, 1893 PA 206, MCL 211.1 to 211.157,**  
4 after the date the township supervisor is notified by the  
5 department that the land is a commercial forest, except taxes  
6 ~~as~~ **that were** previously levied. Except as provided in  
7 ~~subsection~~ **subsections** (5) **and (6)**, commercial forests are  
8 subject to an annual specific tax as follows:

9       (a) Through October 1, 1981, 15 cents per acre.

10       (b) After October 1, 1981 and through December 31, 1989, 30

1 cents per acre.

2 (c) After December 31, 1989 and through December 31, 1993, 38  
3 cents per acre.

4 (d) Beginning January 1, 1994, \$1.10 per acre as adjusted  
5 pursuant to section 51107.

6 (2) The supervisor of the township shall remove from the  
7 ~~list of land descriptions assessed and taxed under the ad~~  
8 ~~valorem general property tax~~ **roll of property subject to the**  
9 **collection of taxes under the general property tax act, 1893 PA**  
10 **206, MCL 211.1 to 211.157,** the ~~land~~ **property** descriptions  
11 certified to him or her by the department as being commercial  
12 forests and shall enter those ~~land~~ descriptions on a roll  
13 separate from ~~lands assessed and taxed by the ad valorem general~~  
14 ~~property tax~~ **property subject to the collection of taxes under**  
15 **the general property tax act, 1893 PA 206, MCL 211.1 to 211.157,**  
16 and shall spread against these commercial forests the specific  
17 tax provided by this section.

18 (3) The township treasurer shall collect the specific tax at  
19 the same time and in the same manner as ~~ad valorem general~~  
20 ~~property~~ taxes are collected **under the general property tax act,**  
21 **1893 PA 206, MCL 211.1 to 211.157,** and this tax is subject to the  
22 same collection charges levied for the collection of ~~ad valorem~~  
23 ~~property~~ taxes **under the general property tax act, 1893 PA 206,**  
24 **MCL 211.1 to 211.157.** Commercial forests are subject to ~~return~~  
25 **forfeiture, foreclosure,** and sale for nonpayment of taxes in the  
26 same manner, at the same time, and under the same penalties as  
27 ~~lands returned and sold for nonpayment of taxes levied under the~~

1 ~~ad valorem general property tax laws~~ **delinquent tax property**  
 2 **under the general property tax act, 1893 PA 206, MCL 211.1 to**  
 3 **211.157.** A valuation shall not be determined for descriptions  
 4 listed as commercial forests and ~~these lands~~ **this property**  
 5 shall not be considered by the county board of commissioners or  
 6 by the state board of equalization in connection with county or  
 7 state equalization for ad valorem property taxation purposes.

8 (4) Except as provided in section 51109(2), all sums  
 9 collected pursuant to this section shall be distributed by the  
 10 township treasurer in the same proportions to the various funds  
 11 as the ad valorem general property tax is allocated in the  
 12 township.

13 (5) Commercial forestland located in a renaissance zone under  
 14 the Michigan renaissance zone act, ~~Act No. 376 of the Public~~  
 15 ~~Acts of 1996, being sections 125.2681 to 125.2696 of the Michigan~~  
 16 ~~Compiled Laws~~ **1996 PA 376, MCL 125.2681 to 125.2696**, is exempt  
 17 from the annual specific tax levied under this section to the  
 18 extent and for the duration provided pursuant to ~~Act No. 376 of~~  
 19 ~~the Public Acts of 1996~~ **the Michigan renaissance zone act, 1996**  
 20 **PA 376, MCL 125.2681 to 125.2696.**

21 (6) Commercial forestland owned or operated by a qualified  
 22 start-up business is exempt from the annual specific tax levied  
 23 under this act, except for that portion of the annual specific  
 24 tax attributable to a tax described in section 7ff(2) of the  
 25 general property tax act, 1893 PA 206, MCL 211.7ff, for 5 years  
 26 beginning on the December 31 in the year in which the qualified  
 27 start-up business first claimed the credit under section 31a of

1 the single business tax act, 1975 PA 228, MCL 208.31a. The  
2 annual specific tax calculated under this subsection shall be  
3 disbursed proportionately to the taxing unit or units that levied  
4 the tax described in section 7ff(2) of the general property tax  
5 act, 1893 PA 206, MCL 211.7ff. As used in this subsection,  
6 "qualified start-up business" means that term as defined in  
7 section 31a of the single business tax act, 1975 PA 228, MCL  
8 208.31a.