

Act No. 312
Public Acts of 2005
Approved by the Governor
December 22, 2005
Filed with the Secretary of State
December 27, 2005
EFFECTIVE DATE: December 27, 2005

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2005**

Introduced by Reps. Ward, Taub, Marleau, LaJoy, Stakoe, Gaffney, Brandenburg, David Law, Waters, McConico, Stewart, Zelenko, Kolb, Lipsey, Kooiman, Hunter, Tobocman, Farrah, Pastor, Hopgood, Acciavatti, Condino, DeRoche, Accavitti, Gleason, Shaffer, Nofs, Byrum, Sak, Huizenga, Moolenaar, Gillard, Dillon, Ball, Booher, Clemente, Gonzales, Hansen, Kahn, Leland, Mayes, Miller, Moore, Polidori, Sheltroun and Hood

ENROLLED HOUSE BILL No. 5480

AN ACT to amend 1985 PA 106, entitled "An act to impose a state excise tax on persons engaged in the business of providing rooms for dwelling, lodging, or sleeping purposes to transient guests in certain counties; to provide for the levy, assessment, and collection of the tax; to provide for the disposition and appropriation of the collections from the tax; to create a convention facility development fund; to authorize the distributions from the fund; to authorize the use of distributions from the tax as security for any bonds, obligations, or other evidences of indebtedness issued to finance convention facilities as provided by law; to prescribe certain other matters relating to bonds, obligations, or other evidences of indebtedness issued for such purposes," by amending section 9 (MCL 207.629), as amended by 2004 PA 386.

The People of the State of Michigan enact:

Sec. 9. (1) On or before the thirtieth day of each month, the state treasurer shall make a distribution from the convention facility development fund to a qualified local governmental unit. The distribution shall be an amount equal to the sum of the collections from the excise tax levied for accommodations under this act for the previous month from the convention hotels in the county in which the convention facility is or is to be located and in any county in which convention hotels are located that is contiguous to the county in which the convention facility is located, or is to be located, and the additional tax imposed under section 1207 of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.2207, for the previous month received in the fund. However, distributions for any state fiscal year to any qualified local governmental unit shall not exceed an amount equal to the amount pledged, assigned, or dedicated by the qualified local governmental unit pursuant to section 11 for the payment during that state fiscal year of bonds, obligations, or other evidences of indebtedness incurred for the purposes specified in this act, plus any amount necessary to maintain a fully funded debt reserve or other reserves intended to secure the principal and interest on the bonds, obligations, or other evidences of indebtedness as contained in the resolution or ordinance authorizing their issuance.

(2) Notwithstanding the distributions provided by subsection (1), if a local governmental unit becomes a qualified local governmental unit entitled to receive distributions from the tax imposed under section 1207 of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.2207, or from the tax imposed by this act in counties in which the convention facility is located or in a county in which a convention hotel is located that is contiguous to the county in which the convention facility is located, no other qualified local governmental unit is entitled to distributions pursuant to this section for which that qualified local governmental unit has previously become entitled.

(3) As used in this act, "qualified local governmental unit" means a city, village, township, county, or authority that is located in a county in which convention hotels are located and that either is the owner or lessee of a convention facility

with 350,000 square feet or more of total exhibit space on July 30, 1985 or, if such a convention facility does not exist, will be the owner or lessee of a convention facility with 350,000 square feet or more of total exhibit space through the application of distributions under this section to the purchase or lease of a convention facility.

(4) Notwithstanding any other provision of this act, after the distributions under subsection (1), and before any distributions under section 10, for fiscal year 2004-2005 only, \$1,075,000.00 shall be distributed to the state sports tourism fund. The money distributed to the state sports tourism fund described in this subsection, including any funds appropriated in fiscal year 2005-2006 from the state convention facility development fund, shall be deducted from the money described in section 10(2)(a) before any distribution is made under section 10(2)(a).

(5) The state sports tourism fund is created within the state treasury.

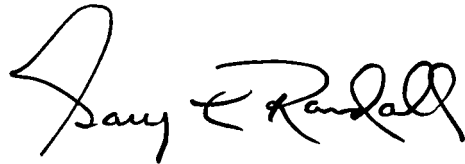
(6) The state treasurer may receive money or other assets from any source for deposit into the state sports tourism fund. The state treasurer shall direct the investment of the state sports tourism fund. The state treasurer shall credit to the state sports tourism fund interest and earnings from the state sports tourism fund investments.

(7) Money in the state sports tourism fund at the close of the fiscal year shall remain in the state sports tourism fund and shall not lapse to the general fund. However, money remaining in the fund on September 30, 2006, shall lapse to the convention facility development fund.

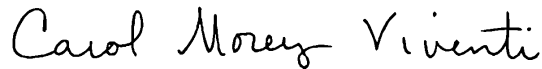
(8) The department of treasury shall expend money from the state sports tourism fund, upon appropriation, only for grants to Super Bowl XL host committee functions related to hosting, staging, or execution of Super Bowl XL activities or to reimburse a county not more than \$500,000.00 for contributions or grants already made to the Super Bowl XL host committee for functions related to hosting, staging, or execution of Super Bowl XL activities. Money shall not be distributed to the state sports tourism fund that impairs obligations, bonds, or other evidences of indebtedness issued under this act.

(9) The department of treasury shall expend money from the state sports tourism fund, upon appropriation of not more than \$1,000,000.00, for Super Bowl XL host committee functions related to security operations of Super Bowl XL activities. Money shall not be distributed to the state sports tourism fund that impairs obligations, bonds, or other evidences of indebtedness issued under this act.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor