

Act No. 456
Public Acts of 2008
Approved by the Governor
January 9, 2009
Filed with the Secretary of State
January 9, 2009

NO EFFECTIVE DATE: Tie-barred to HB 5438, which was not enacted into law

SEE COMPILER'S NOTE FOR EFFECTIVE DATE

**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2008**

Introduced by Rep. Stakoe

ENROLLED HOUSE BILL No. 6493

AN ACT to amend 1966 PA 346, entitled "An act to create a state housing development authority; to define the powers and duties of the authority; to establish a housing development revolving fund; to establish a land acquisition and development fund; to establish a rehabilitation fund; to establish a conversion condominium fund; to create certain other funds and provide for the expenditure of certain funds; to authorize the making and purchase of loans, deferred payment loans, and grants to qualified developers, sponsors, individuals, mortgage lenders, and municipalities; to establish and provide acceleration and foreclosure procedures; to provide tax exemption; to authorize payments instead of taxes by nonprofit housing corporations, consumer housing cooperatives, limited dividend housing corporations, mobile home park corporations, and mobile home park associations; and to prescribe criminal penalties for violations of this act," (MCL 125.1401 to 125.1499e) by adding chapter 3B.

The People of the State of Michigan enact:

CHAPTER 3B

Sec. 59. (1) The definitions in section 11 apply to this chapter unless otherwise provided in this chapter.

(2) As used in this chapter:

(a) "Area median income" means the median income for the area as determined under section 8 of the United States housing act of 1937, 42 USC 1437f, adjusted for family size.

(b) "Income" means an amount determined in a manner consistent with the determination of lower income families under section 8 of the United States housing act of 1937, 42 USC 1437f.

(c) "Supportive housing property" means property that meets all of the following requirements:

(i) Is owned by an organization exempt under section 501(c)(3) of the internal revenue code, 26 USC 501.

(ii) All living units are occupied by 1 or more persons each having incomes at or below 30% of the area median income and who each individually receive services for not less than 1 hour per month either directly from or contracted for by an organization identified in subparagraph (i), which services include, but are not limited to, mental health, substance abuse, counseling, and assistance with daily living.

(iii) Consists of not more than 6 individual living units.

Sec. 59a. (1) The owner of supportive housing property shall file with the local assessing officer a notification of that status, which shall be in an affidavit form as provided by the authority. The completed affidavit form first shall be submitted to the authority for certification by the authority that the project is supportive housing property. The owner then shall file the certified notification of the exemption with the local assessing officer before November 1 of the year preceding the tax year in which the exemption is to begin.

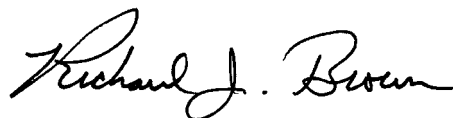
(2) An owner of property for which certification as supportive housing property is denied or a local unit of government in which property certified as supportive housing property is located may appeal the authority's determination to the circuit court of the county in which the property is located.

(3) The authority shall certify property as supportive housing property on a first-come, first-served basis. However, not more than 25% of the number of living units that may be certified as supportive housing property for a year can be in a single county. If by October 1 of that year the total number of living units for that year is less than the 250 living units authorized in subsection (1), the authority may certify living units on a first-come, first-served basis in counties that received 25% of the living units for that year.

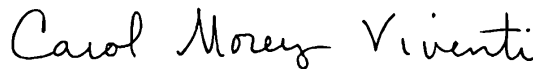
Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) House Bill No. 5437.
- (b) House Bill No. 5438.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

Compiler's note: Enacting section 1 of Act 456 of 2008 contained tie bars to House Bills 5437 and 5438. House Bill 5437 was filed with the Secretary of State January 9, 2009, and became 2008 PA 454, Imd. Eff. Jan. 9, 2009. House Bill 5438 was not enacted by the legislature of the 2008 regular session; it was not presented to the governor and did not become a public act.

Enacting section 1 of Act 127 of 2009 repealed enacting section 1 of Act 456 of 2008, thereby removing the tie bars. Act 456 of 2008 became effective October 29, 2009.