

**SUBSTITUTE FOR
HOUSE BILL NO. 4441**

(As amended March 14, 2007)

A bill to amend 1993 PA 330, entitled
"State real estate transfer tax act,"
by amending sections 5 and 11 (MCL 207.525 and 207.531), section 5
as amended by 1994 PA 224.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) Beginning on January 1, 1995, except as otherwise
2 provided in this section, the tax imposed under sections 3 and 4 is
3 levied at the rate of \$3.75 for each \$500.00 or fraction of \$500.00
4 of the total value of the property being transferred.

5 (2) **BEGINNING APRIL 1, 2007 THROUGH SEPTEMBER 1, 2008 ONLY,**
6 **THE TAX IMPOSED UNDER SECTIONS 3 AND 4 ON PROPERTY TRANSFERRED FOR**
7 **WHICH A PRINCIPAL RESIDENCE EXEMPTION IS CLAIMED UNDER SECTION 7CC**
8 **OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.7CC, [NOT INCLUDING**
NEW CONSTRUCTION,] IS

House Bill No. 4441 (H-1) as amended March 14, 2007

1 LEVIED AT THE RATE OF \$4.25 FOR EACH \$500.00 OR FRACTION OF \$500.00
2 OF THE TOTAL VALUE OF THE PROPERTY BEING TRANSFERRED.

3 (3) ~~(2)~~—A written instrument subject to the tax imposed by
4 this act shall state on its face the total value of the real
5 property being transferred unless an affidavit is attached to the
6 written instrument declaring the total value of the real property
7 being transferred. The form of the affidavit shall be prescribed by
8 the department of treasury. If the sale or transfer is of a
9 combination of real and personal property, the tax shall be imposed
10 only upon the transfer of the real property if the values of the
11 real and personal property are stated separately on the face of the
12 written instrument or if an affidavit is attached to the written
13 instrument setting forth the respective values of the real and
14 personal property.

15 Sec. 11. (1) ~~The~~ **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION**
16 **(2), THE** treasurer shall credit the proceeds of the tax collected
17 by county treasurers under this act to the state treasury to the
18 credit of the state school aid fund established in section 11 of
19 article IX of the state constitution of 1963.

20 (2) **BEGINNING APRIL 1, 2007 THROUGH SEPTEMBER 1, 2008, THE**
21 **TREASURER SHALL CREDIT [] THE PROCEEDS OF THE TAX LEVIED**
22 **AT THE RATE OF \$4.25 FOR EACH \$500.00 OR FRACTION OF \$500.00 UNDER**
23 **SECTION 5(2) [AS FOLLOWS:**

24 **(A) 75%] TO THE GENERAL FUND OF THE LOCAL TAX COLLECTING UNIT**
FROM WHICH THE EXCESS PROCEEDS WERE COLLECTED [.

(B) 25% TO THE COUNTY IN WHICH THE LOCAL TAX COLLECTING UNIT FROM
WHICH THE EXCESS PROCEEDS WERE COLLECTED IS LOCATED.

25 **(3) EXCESS PROCEEDS COLLECTED UNDER SECTION 5(2) AND DISTRIBUTED**
UNDER SUBSECTION (2)] SHALL BE USED
FOR PUBLIC SAFETY. AS USED IN THIS SUBSECTION, "PUBLIC SAFETY"
26 **MEANS THE SUPPORT OF POLICE OFFICERS, FIREFIGHTERS, OTHER FIRST**
27 **RESPONDERS, SCHOOL SAFETY OFFICERS, [] SCHOOL RESOURCE OFFICERS [,**
COURT OPERATIONS, AND JAIL OPERATIONS AND ADMINISTRATION]. [THIS REVENUE
SHALL NOT BE USED TO SUPPLANT OTHER REVENUE SPENT BY THE LOCAL TAX
COLLECTING UNIT ON PUBLIC SAFETY.

