

**SUBSTITUTE FOR  
HOUSE BILL NO. 4516**

A bill to amend 2005 PA 210, entitled  
"Commercial rehabilitation act,"  
by amending section 3 (MCL 207.843).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 3. (1) A qualified local governmental unit, by resolution  
2 of its legislative body, may establish 1 or more qualified  
3 rehabilitation districts that may consist of 1 or more parcels or  
4 tracts of land or a portion of a parcel or tract of land, if at the  
5 time the resolution is adopted, the parcel or tract of land or  
6 portion of a parcel or tract of land within the district is a  
7 qualified facility.

8       (2) The legislative body of a qualified local governmental  
9 unit may establish a commercial rehabilitation district on its own  
10 initiative or upon a written request filed by the owner or owners

1 of property comprising at least 50% of all taxable value of the  
2 property located within a proposed commercial rehabilitation  
3 district. The written request must be filed with the clerk of the  
4 qualified local governmental unit.

5 (3) Before adopting a resolution establishing a commercial  
6 rehabilitation district, the legislative body shall give written  
7 notice by certified mail to the county in which the proposed  
8 district is to be located and the owners of all real property  
9 within the proposed commercial rehabilitation district and shall  
10 afford an opportunity for a hearing on the establishment of the  
11 commercial rehabilitation district at which any of those owners and  
12 any other resident or taxpayer of the qualified local governmental  
13 unit may appear and be heard. The legislative body shall give  
14 public notice of the hearing not less than 10 days or more than 30  
15 days before the date of the hearing.

16 (4) The legislative body of the qualified local governmental  
17 unit, in its resolution establishing a commercial rehabilitation  
18 district, shall set forth a finding and determination that the  
19 district meets the requirements set forth in subsection (1) and  
20 shall provide a copy of the resolution by certified mail to the  
21 county in which the district is located.

22 (5) Within 28 days after receiving a copy of the resolution  
23 establishing a commercial rehabilitation district, the county may  
24 reject the establishment of the district by 1 of the following  
25 methods:

26 (a) If the county has an elected county executive, by written  
27 notification to the qualified local governmental unit.

1 (b) If the county does not have an elected county executive,  
2 by a resolution of the county board of commissioners provided to  
3 the qualified local governmental unit.

4 (6) BEGINNING APRIL 1, 2010, THE QUALIFIED LOCAL GOVERNMENTAL  
5 UNIT SHALL NOT APPROVE A COMMERCIAL REHABILITATION EXEMPTION  
6 CERTIFICATE IF THE OWNER OR LESSEE OF A QUALIFIED FACILITY FAILS TO  
7 COMPLY WITH SECTION 3 OF THE MICHIGAN CORPORATE RESPONSIBILITY ACT  
8 OR FAILS TO DISCLOSE A CIVIL OR CRIMINAL OFFENSE AS REQUIRED BY  
9 SECTION 3 OF THE MICHIGAN CORPORATE RESPONSIBILITY ACT.

10 (7) BEGINNING WITH COMMERCIAL REHABILITATION EXEMPTION  
11 CERTIFICATES THAT TAKE EFFECT ON OR AFTER APRIL 1, 2010, IF THE  
12 OWNER OF THE QUALIFIED FACILITY TO WHOM THE CERTIFICATE IS ISSUED  
13 FAILS TO COMPLY WITH SECTION 3 OF THE MICHIGAN CORPORATE  
14 RESPONSIBILITY ACT OR FAILS TO DISCLOSE A CIVIL OR CRIMINAL OFFENSE  
15 AS REQUIRED BY SECTION 3 OF THE MICHIGAN CORPORATE RESPONSIBILITY  
16 ACT ON OR AFTER APRIL 1, 2010, THEN THAT PERSON IS RESPONSIBLE FOR  
17 THE PAYMENT OF A PENALTY DESCRIBED IN THIS SUBSECTION. THE PENALTY  
18 IS EQUAL TO THE DIFFERENCE BETWEEN THE COMMERCIAL REHABILITATION  
19 TAX AND THE GENERAL AD VALOREM TAXES THAT WOULD HAVE BEEN LEVIED IF  
20 THE CERTIFICATE HAD NOT BEEN GRANTED FOR EACH YEAR THE CERTIFICATE  
21 WAS IN EFFECT.