

# SENATE BILL No. 1204

March 3, 2010, Introduced by Senator ALLEN and referred to the Committee on Commerce and Tourism.

A bill to amend 1980 PA 395, entitled  
"Community convention or tourism marketing act,"  
by amending section 2 (MCL 141.872), as amended by 1993 PA 224.

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

1           Sec. 2. As used in this act:

2           (a) "Assessment" means the amount levied against an owner of a  
3 transient facility within an assessment district, computed by  
4 application of the applicable percentage against aggregate room  
5 charges with respect to that transient facility during the  
6 applicable assessment period.

7           (b) "Assessment district" means a municipality or combination  
8 of municipalities as described in a marketing program. A  
9 combination of municipalities is not required to be contiguous.

10           (c) "Assessment revenues" means the money derived from the

1 assessment, including any interest and penalties on the assessment,  
2 imposed by this act.

3 (d) "Board" means the board of directors elected by the  
4 members of a bureau. A majority of the members of a board shall be  
5 owners of transient facilities.

6 (e) "Bureau" means a nonprofit corporation existing to promote  
7 convention business or tourism within this state or a portion of  
8 this state.

9 (f) "Director" means the director of ~~commerce~~**THE DEPARTMENT**  
10 **OF ENERGY, LABOR, AND ECONOMIC GROWTH.**

11 (g) "Marketing program" means a program established by a  
12 bureau to develop, encourage, solicit, and promote convention  
13 business or tourism within this state or a portion of this state  
14 within which the bureau operates. The encouragement and promotion  
15 of convention business or tourism includes any service, function,  
16 or activity, whether or not performed, sponsored, or advertised by  
17 a bureau, that intends to attract transient guests to the  
18 assessment district. For a bureau described in section 3(8), a  
19 marketing program includes a contract with a nonprofit organization  
20 formed to promote convention business or tourism that receives  
21 funding from a tax levied under ~~Act No. 263 of the Public Acts of~~  
22 ~~1974, being sections 141.861 to 141.867 of the Michigan Compiled~~  
23 ~~Laws~~**1974 PA 263, MCL 141.861 TO 141.867**, in a contiguous county to  
24 provide for the promotion of convention business or tourism.

25 (h) "Marketing program notice" means the notice described in  
26 section 3.

27 (i) "Municipality" means a county with a population of less

1 than 650,000 or a city, village, or township within a county with a  
2 population of less than 650,000. ~~Municipality does not include a~~  
3 ~~special charter, fourth class city.~~

4 (j) "Owner" means the owner of a transient facility to be  
5 served by the bureau or, if the transient facility is operated or  
6 managed by a person other than the owner, then the operator or  
7 manager of that transient facility.

8 (k) "Room" means a room or other space provided for sleeping  
9 that can be rented independently, including the furnishings and  
10 other accessories in the room. Room includes, but is not limited  
11 to, a condominium or time-sharing unit that, pursuant to a  
12 management agreement, may be used to provide dwelling, lodging, or  
13 sleeping quarters for a transient guest.

14 (l) "Room charge" means the charge imposed for the use or  
15 occupancy of a room, excluding charges for food, beverages, state  
16 use tax, telephone service, or like services paid in connection  
17 with the charge, and excluding reimbursement of the assessment  
18 imposed by this act.

19 (m) "Transient facility" means a building or combination of  
20 buildings under common ownership, operation, or management that  
21 contains 10 or more rooms used in the business of providing  
22 dwelling, lodging, or sleeping to transient guests, whether or not  
23 membership is required for the use of the rooms. Transient facility  
24 does not include a college or school dormitory, a hospital, a  
25 nursing home, or a facility owned and operated by an organization  
26 qualified for an exemption from federal taxation under section  
27 501(c) of the internal revenue code.

1           (n) "Transient guest" means a person who occupies a room in a  
2 transient facility for less than 30 consecutive days.