

**SUBSTITUTE FOR
HOUSE BILL NO. 4783**

A bill to amend 2010 PA 275, entitled
"Next Michigan development act,"
by amending section 5 (MCL 125.2955), as amended by 2013 PA 238.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) The board of the Michigan strategic fund, upon the
2 filing of an application under section 4, may designate the
3 applicant as a next Michigan development corporation. No more than
4 ~~6~~7 next Michigan development corporations may be designated in
5 this state. The president of the Michigan strategic fund shall
6 develop the form of application for designation as a next Michigan
7 development corporation within 49 days of the effective date of
8 this act provided that an application from an eligible act 7 entity
9 or an eligible urban entity which otherwise meets the requirements
10 of this act may be filed with the board of the Michigan strategic

1 fund at any time after December 15, 2010, and any such application
2 shall be considered by the board of the Michigan strategic fund
3 under subsections (2) and (3). The Michigan strategic fund shall
4 use its best efforts to develop the application process jointly
5 with eligible act 7 entities and eligible urban entities.

6 (2) The board of the Michigan strategic fund shall apply the
7 following criteria in determining to designate a next Michigan
8 development corporation:

9 (a) The nominal level of unemployed workers within the county
10 or counties which are parties to the interlocal agreement creating
11 the applicant eligible act 7 entity, if the applicant is an
12 eligible act 7 entity, or within the applicant eligible urban
13 entity, if the applicant is an eligible urban entity, in each case
14 as publicly reported by the state department of energy, labor, and
15 economic growth as of the month preceding the filing of the
16 application on an adjusted or unadjusted basis, whichever is
17 greater.

18 (b) The number of local governmental unit parties to the
19 applicant's interlocal agreement if the applicant is an eligible
20 act 7 entity.

21 (c) Whether the application demonstrates evidence of
22 significant job creation potential of a regional or state asset or
23 combinations of enterprises, facilities, or obsolete facilities
24 within the territory of the applicant, as documented by a
25 comprehensive business plan and a third-party study or studies
26 quantifying the job creation potential, and the degree of the job
27 creation potential.

1 (d) Whether the application is supported by public and private
2 commitment and the degree of the commitment.

3 (e) The extent to which the interlocal agreement or the
4 eligible urban entity creates the possibility of streamlined
5 permitting.

6 (3) The board of the Michigan strategic fund shall grant or
7 deny designation to an applicant within 49 days of receipt of the
8 application. If the board of the Michigan strategic fund does not
9 grant or deny the designation within 49 days of receipt of the
10 application, the application shall be considered approved. If the
11 application is denied, the board shall provide the applicant with
12 the specific reasons for the denial by reference to the criteria
13 set forth in subsection (2). An applicant may amend the application
14 to take into account the reasons for the denial and thereafter may
15 resubmit the application to the board of the Michigan strategic
16 fund.

17 (4) The board of the Michigan strategic fund shall not
18 designate more than 2 next Michigan development corporations in a
19 calendar year. However, the board of the Michigan strategic fund
20 may designate 3 next Michigan development corporations in a
21 calendar year if 1 or more of the next Michigan development
22 corporations designated is located entirely north of 43° 49' in
23 this state.