

SUBSTITUTE FOR  
HOUSE BILL NO. 5009

A bill to amend 1967 PA 281, entitled  
"Income tax act of 1967,"  
by amending section 691 (MCL 206.691), as amended by 2012 PA 70.

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

1           Sec. 691. Except as otherwise provided under section 680(3), a  
2 unitary business group shall file a combined return that includes  
3 each United States person that is included in the unitary business  
4 group. Each United States person included in a unitary business  
5 group or included in a combined return shall be treated as a single  
6 person, and all transactions between those persons included in the  
7 unitary business group shall be eliminated from the corporate  
8 income tax base, ~~and~~ the apportionment formulas, **AND FOR PURPOSES**  
9 **OF DETERMINING EXEMPTIONS, CREDITS, AND THE FILING THRESHOLD** under  
10 this part. If a United States person included in a unitary business  
11 group or included in a combined return is subject to the tax under

1 chapter 12 or 13, any corporate income attributable to that person  
2 shall be eliminated from the corporate income tax base and any  
3 sales attributable to that person shall be eliminated from the  
4 apportionment formula under this part.

5 Enacting section 1. This amendatory act is effective for tax  
6 years that begin after December 31, 2013.