

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4541

A bill to amend 2000 PA 146, entitled
"Obsolete property rehabilitation act,"
by amending section 6 (MCL 125.2786), as amended by 2011 PA 272.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) Not more than 60 days after receipt of a copy of
2 the application and resolution adopted under section 5, the
3 commission shall approve or disapprove the resolution.

4 (2) Following approval of the application by the legislative
5 body of the qualified local governmental unit and the commission,
6 the commission shall issue to the applicant an obsolete property
7 rehabilitation exemption certificate in the form the commission
8 determines, which shall contain all of the following:

9 (a) A legal description of the real property on which the

1 obsolete facility is located.

2 (b) A statement that unless revoked as provided in this act
3 the certificate shall remain in force for the period stated in the
4 certificate.

5 (c) A statement of the taxable value of the obsolete property,
6 separately stated for real and personal property, for the tax year
7 immediately preceding the effective date of the certificate after
8 deducting the taxable value of the land and personal property other
9 than personal property assessed pursuant to sections 8(d) and 14(6)
10 of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14.

11 (d) A statement of the period of time authorized by the
12 legislative body of the qualified local governmental unit within
13 which the rehabilitation shall be completed.

14 (e) If the period of time authorized by the legislative body
15 of the qualified local governmental unit pursuant to subdivision
16 (d) is less than 12 years, the exemption certificate shall contain
17 the factors, criteria, and objectives, as determined by the
18 resolution of the qualified local governmental unit, necessary for
19 extending the period of time, if any.

20 (3) Except as otherwise provided in this section, the
21 effective date of the certificate is the December 31 immediately
22 following the date of issuance of the certificate.

23 (4) The commission shall file with the clerk of the qualified
24 local governmental unit a copy of the obsolete property
25 rehabilitation exemption certificate, and the commission shall
26 maintain a record of all certificates filed. The commission shall
27 also send, by certified mail, a copy of the obsolete property

1 rehabilitation exemption certificate to the applicant and the
2 assessor of the local tax collecting unit in which the obsolete
3 property is located.

4 (5) Notwithstanding any other provision of this act, if a
5 qualified local governmental unit passed a resolution approving an
6 application for an obsolete property rehabilitation exemption
7 certificate on November 5, 2008 for a rehabilitated facility
8 located in an obsolete property rehabilitation district established
9 on January 29, 2003 with rehabilitation commencing on July 24,
10 2007, the effective date of the certificate shall be December 31,
11 2008.

12 (6) If an error or mistake in an application for an obsolete
13 property rehabilitation exemption certificate is discovered after
14 the legislative body of the qualified local governmental unit has
15 approved the application or after the commission has issued a
16 certificate for the application, an applicant may submit an amended
17 application in the same manner as an original application under
18 section 4 that corrects the error or mistake. Pursuant to sections
19 5 and 6, the legislative body of the qualified local governmental
20 unit and the commission may approve or deny the amended
21 application. If the commission previously issued a certificate for
22 the original application and approves an amended application under
23 this subsection, the commission shall issue an amended certificate
24 for the amended application pursuant to section 6 with the same
25 effective date as the original certificate.

26 (7) IF THE CLERK OF THE QUALIFIED LOCAL GOVERNMENTAL UNIT
27 FAILED TO FORWARD AN APPLICATION THAT WAS APPROVED BY THE

1 LEGISLATIVE BODY OF THE QUALIFIED LOCAL GOVERNMENTAL UNIT BEFORE
2 OCTOBER 1 OF THAT YEAR TO THE COMMISSION BEFORE OCTOBER 1 BUT FILED
3 THE APPLICATION BEFORE MARCH 30 OF THE IMMEDIATELY SUCCEEDING YEAR
4 AND THE COMMISSION APPROVES THE APPLICATION, NOTWITHSTANDING ANY
5 OTHER PROVISION OF THIS ACT, THE CERTIFICATE SHALL BE CONSIDERED TO
6 BE ISSUED ON DECEMBER 31 IN THE YEAR IN WHICH THE QUALIFIED LOCAL
7 GOVERNMENTAL UNIT APPROVED THE APPLICATION.

8 (8) BEGINNING OCTOBER 1, 2013, THE COMMISSION SHALL DO ALL OF
9 THE FOLLOWING FOR EACH OBSOLETE PROPERTY REHABILITATION EXEMPTION
10 CERTIFICATE APPROVED OR DISAPPROVED BY THE COMMISSION UNDER
11 SUBSECTION (6) OR (7):

12 (A) NOTIFY THE OFFICE OF THE MEMBER OF THE HOUSE OF
13 REPRESENTATIVES OF THIS STATE AND THE OFFICE OF THE SENATOR OF THIS
14 STATE, WHO REPRESENT THE GEOGRAPHIC AREA IN WHICH THE PROPERTY
15 COVERED BY THE APPLICATION FOR A CERTIFICATE IS LOCATED, THAT AN
16 APPLICATION FOR A CERTIFICATE HAS BEEN APPROVED OR DISAPPROVED
17 UNDER SUBSECTION (6) OR (7).

18 (B) PUBLISH ON ITS WEBSITE A COPY OF THE CERTIFICATE IF
19 APPROVED, OR A COPY OF THE DENIAL NOTICE IF DISAPPROVED, UNDER
20 SUBSECTION (6) OR (7) AND WHATEVER ADDITIONAL INFORMATION THE
21 COMMISSION CONSIDERS APPROPRIATE REGARDING THE APPLICATION.