

HOUSE BILL No. 5009

September 26, 2013, Introduced by Rep. Farrington and referred to the Committee on Tax Policy.

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

1 group or included in a combined return is subject to the tax under
2 chapter 12 or 13, any corporate income attributable to that person
3 shall be eliminated from the corporate income tax base and any
4 sales attributable to that person shall be eliminated from the
5 apportionment formula under this part.

6 Enacting section 1. This amendatory act is retroactive and
7 effective for tax years that begin after December 31, 2011.