

HOUSE BILL No. 5441

March 9, 2016, Introduced by Reps. Kosowski and LaVoy and referred to the Committee on Tax Policy.

A bill to amend 1937 PA 94, entitled
"Use tax act,"
(MCL 205.91 to 205.111) by adding section 4cc.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 4CC. (1) SUBJECT TO SUBSECTION (2), THE TAX UNDER THIS
2 ACT DOES NOT APPLY TO THE SALE OF ANY OF THE FOLLOWING ITEMS IF THE
3 SALE IS MADE BETWEEN 12:01 A.M. AND 11:59 P.M. ON THE THIRD
4 SATURDAY OF AUGUST EACH YEAR:

5 (A) CLOTHING IF THE SALES PRICE OF EACH INDIVIDUAL ITEM IS NOT
6 GREATER THAN \$75.00.

7 (B) SCHOOL SUPPLIES IF THE SALES PRICE OF EACH INDIVIDUAL ITEM
8 IS NOT GREATER THAN \$15.00.

9 (2) THE EXEMPTION IN SUBSECTION (1) DOES NOT APPLY TO THE
10 FOLLOWING:

11 (A) CLOTHING ACCESSORIES OR EQUIPMENT.

1 (B) PROTECTIVE, SPORT, OR RECREATIONAL EQUIPMENT.

2 (C) ANY ITEM SOLD FOR USE IN A TRADE OR BUSINESS.

3 (D) FURNITURE.

4 (3) AS USED IN THIS SECTION:

5 (A) "CLOTHING" MEANS ANY ARTICLE OF WEARING APPAREL, INCLUDING
6 ALL FOOTWEAR, INTENDED TO BE WORN ON OR ABOUT THE HUMAN BODY.

7 (B) "CLOTHING ACCESSORIES OR EQUIPMENT" MEANS INCIDENTAL ITEMS
8 WORN ON THE PERSON OR IN CONJUNCTION WITH CLOTHING, INCLUDING, BUT
9 NOT LIMITED TO, WATCHES, WATCHBANDS, JEWELRY, UMBRELLAS, OR
10 HANDKERCHIEFS.

11 (C) "PROTECTIVE, SPORT, OR RECREATIONAL EQUIPMENT" MEANS ITEMS
12 DESIGNED FOR HUMAN USE AND WORN IN CONJUNCTION WITH AN ATHLETIC OR
13 RECREATIONAL ACTIVITY AND THAT ARE NOT SUITABLE FOR GENERAL USE,
14 INCLUDING, BUT NOT LIMITED TO, SKIS, SWIM FINS, ROLLERBLADES, AND
15 SKATES.

16 (D) "SCHOOL SUPPLIES" MEANS PENS, PENCILS, ERASERS, CRAYONS,
17 NOTEBOOKS, NOTEBOOK FILLER PAPER, LEGAL PADS, BINDERS, LUNCH BOXES,
18 CONSTRUCTION PAPER, MARKERS, FOLDERS, POSTER BOARD, COMPOSITION
19 BOOKS, POSTER PAPER, SCISSORS, CELLOPHANE TAPE, GLUE, PASTE,
20 RULERS, COMPUTER DISKS, PROTRACTORS, COMPASSES, CALCULATORS, AND
21 SIMILAR ITEMS.