

HOUSE BILL NO. 5095

October 04, 2023, Introduced by Rep. Andrews and referred to the Committee on Economic Development and Small Business.

A bill to amend 2018 PA 540, entitled
"Economic development incentive evaluation act,"
by amending section 3 (MCL 18.1753).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 3. As used in this act:
- 2 (a) "Contractor" means the private entity, nonprofit entity,
3 or academic institution selected by the department under section 5
4 to evaluate certain economic development incentives.
- 5 (b) "Department" means the department of technology,

1 management, and budget.

2 (c) "Economic development incentive" means the abatements, tax
3 credits, exemptions, grants, loans, or loan guarantees related to
4 economic development activities in this state as determined by the
5 Michigan strategic fund provided under the following acts, **funds,**
6 **or programs:**

7 (i) The Michigan business tax act, 2007 PA 36, MCL 208.1101 to
8 ~~208.1601~~.**208.1519.**

9 (ii) The income tax act of 1967, 1967 PA 281, MCL 206.1 to
10 ~~206.713~~.**206.847.**

11 (iii) 1974 PA 198, MCL 207.551 to 207.572.

12 (iv) The commercial redevelopment act, 1978 PA 255, MCL 207.651
13 to 207.668.

14 (v) The enterprise zone act, 1985 PA 224, MCL 125.2101 to
15 125.2123.

16 (vi) 1953 PA 189, MCL 211.181 to 211.182.

17 (vii) The technology park development act, 1984 PA 385, MCL
18 207.701 to 207.718.

19 (viii) Part 511 of the natural resources and environmental
20 protection act, 1994 PA 451, MCL 324.51101 to 324.51120.

21 (ix) The neighborhood enterprise zone act, 1992 PA 147, MCL
22 207.771 to 207.786.

23 (x) The city utility users tax act, 1990 PA 100, MCL 141.1151
24 to 141.1177.

25 (xi) The city income tax act, 1964 PA 284, MCL 141.501 to
26 141.787.

27 (xii) The general property tax act, 1893 PA 206, MCL 211.1 to
28 211.155.

1 (xiii) The Michigan economic growth authority act, 1995 PA 24,
2 MCL 207.801 to 207.810.

3 (xiv) The Michigan renaissance zone act, 1996 PA 376, MCL
4 125.2681 to 125.2696.

5 (xv) The obsolete property rehabilitation act, 2000 PA 146, MCL
6 125.2781 to 125.2797.

7 (xvi) The brownfield redevelopment financing act, 1996 PA 381,
8 MCL 125.2651 to 125.2670.

9 (xvii) The Michigan strategic fund act, 1984 PA 270, MCL
10 125.2001 to 125.2094.

11 **(xviii) The make it in Michigan fund or the make it in Michigan**
12 **fund programs. An economic development incentive under this**
13 **subparagraph includes any economic assistance provided for a make**
14 **it in Michigan project.**

15 **(xix)** ~~(xviii)~~—Any new economic development programs as determined
16 by the Michigan strategic fund.

17 (d) "Exclusive economic development incentive" means an
18 economic development incentive that is intended to encourage a
19 single specific entity, project, or associated projects to locate,
20 expand, invest, or remain in this state or to hire or retain
21 employees in this state as determined by the strategic fund.

22 **(e) "Make it in Michigan fund" means the make it in Michigan**
23 **fund created in section 4 of the Michigan trust fund act, 2000 PA**
24 **489, MCL 12.254.**

25 **(f) "Make it in Michigan fund programs" means all of the**
26 **following programs:**

27 **(i) The critical industry program created under section 88s of**
28 **the Michigan strategic fund act, 1984 PA 270, MCL 125.2088s.**

29 **(ii) The Michigan strategic site readiness program created**

1 under section 88t of the Michigan strategic fund act, 1984 PA 270,
2 MCL 125.2088t.

3 (iii) The Michigan 360 program created under section 88u of the
4 Michigan strategic fund act, 1984 PA 270, MCL 125.2088u.

5 (g) "Make it in Michigan project" means a project that is
6 either of the following:

7 (i) Funded in whole or in part with money from the make it in
8 Michigan fund.

9 (ii) Funded in whole or in part, or otherwise incentivized,
10 under any of the make it in Michigan fund programs.

11 (h) ~~(e)~~—"The strategic fund" means the **Michigan strategic** fund
12 **created** under the Michigan strategic fund act, 1984 PA 270, MCL
13 125.2001 to 125.2094.

14 Enacting section 1. This amendatory act does not take effect
15 unless all of the following bills of the 102nd Legislature are
16 enacted into law:

17 (a) Senate Bill No. _____ or House Bill No. 5104 (request no.
18 04109'23 *).

19 (b) Senate Bill No. _____ or House Bill No. 5106 (request no.
20 04389'23 *).