

MICHIGAN RENAISSANCE ZONE ACT (EXCERPT)
Act 376 of 1996

125.2684 Designation of local governmental unit as renaissance zone; application; criteria; additional distinct geographic areas; extension of status; resubmission.

Sec. 4.

(1) One or more qualified local governmental units may apply to the review board to designate the qualified local governmental unit or units as a renaissance zone if all of the following criteria are met:

(a) The geographic area of the proposed renaissance zone is located within the boundaries of the qualified local governmental unit or units that apply.

(b) The application includes a development plan.

(c) The proposed renaissance zone is not more than 5,000 acres in size.

(d) The renaissance zone does not contain more than 10 distinct geographic areas and, except as otherwise provided in this subdivision, the minimum size of a distinct geographic area is not less than 5 acres. A qualified local governmental unit or units may designate not more than 8 distinct geographic areas in each renaissance zone to have no minimum size requirement.

(e) The application includes the proposed duration of renaissance zone status, not to exceed 15 years, except as otherwise provided in this section.

(f) If the qualified local governmental unit has an elected county executive, the county executive has approved the application in writing.

(g) If the qualified local governmental unit is a city, that city's mayor has approved the application in writing.

(2) A qualified local governmental unit may submit not more than 1 application to the review board for designation as a renaissance zone. A resolution provided by a city, village, or township under section 7(2) does not constitute an application of a city, village, or township for a renaissance zone under this act.

(3) For a distinct geographic area described in subsection (1)(d), a village may include publicly owned land within the boundaries of any distinct geographic area.

(4) Beginning December 1, 2006 through December 31, 2011, a qualified local governmental unit or units in which a renaissance zone was designated under section 8 or 8a(1) or (3) may designate additional distinct geographic areas not to exceed a total of 10 distinct geographic areas on application to and approval by the board of the Michigan strategic fund if the distinct geographic area is located in an eligible distressed area or is contiguous to an eligible distressed area, and if the additional distinct geographic area will increase capital investment or job creation. The duration of renaissance zone status for the additional distinct geographic areas must not exceed 15 years. As used in this subsection, "eligible distressed area" means that term as defined in section 11 of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1411.

(5) Beginning October 1, 2023, any remaining renaissance zones that have not been designated by September 30, 2023 that are eligible under section 8e, 8f, or 8g may be designated by the board of the Michigan strategic fund under section 8a(2). In designating a renaissance zone described in this subsection, the board of the Michigan strategic fund shall consider the same criteria that the board would consider when designating a renaissance zone under section 8e, 8f, or 8g, as applicable. The board of the Michigan strategic fund may revoke the designation of all or a portion of a renaissance zone described in this subsection for the same reasons that the board may revoke the designation of all or a portion of a renaissance zone under section 8e, 8f, or 8g, as applicable.

(6) Through December 31, 2002, if a qualified local governmental unit or units designate additional distinct geographic areas in a renaissance zone under subsection (4), the qualified local governmental unit or units may extend the duration of the renaissance zone status of 1 or more distinct geographic areas in that renaissance zone until 2017 on application to and approval by the board.

(7) Beginning October 1, 2023, a qualified local governmental unit or units in which a renaissance zone was designated under section 8 or 8a(2) may, on application to and approval by the board of the Michigan strategic fund, seek to extend the duration of renaissance zone status. On application, the board of the Michigan strategic fund may extend the duration of renaissance zone status.

(8) Through December 31, 2011, a qualified local governmental unit or units in which a renaissance zone was designated under section 8 or 8a(1) or (3) may, on application to and approval by the board of the Michigan strategic fund, seek to extend the duration of renaissance zone status for 1 or more portions of the renaissance zone if that zone or portion of a zone is in existence as of March 15, 2008, if the extension will increase capital investment or job creation, and if the county in which the portion or portions of the renaissance zone are located consents to extend the duration of renaissance zone status. The board of the Michigan strategic fund may extend renaissance zone status for 1 or more portions of the renaissance zone under this subsection for a period of time not to exceed 15 years from the date of the application to the board of the Michigan strategic fund under this subsection. However, beginning on April 29, 2008, if the board of the Michigan strategic fund extends the duration

of 1 or more portions of a renaissance zone under this subsection, the board of the Michigan strategic fund may revoke that extension if the board determines that increased capital investment or job creation will not begin within 1 year of the granting of the extension or otherwise violates the terms of the written development agreement between the owner of the real property and the board of the Michigan strategic fund. Only the qualified local governmental unit that is requesting the extension of time may submit the application. If the board of the Michigan strategic fund extends the duration of 1 or more portions of a renaissance zone, the board of the Michigan strategic fund shall enter into a written development agreement with the owner of all real property located within the boundaries of the portions of the renaissance zone whose duration has been extended. The written development agreement must include, but is not limited to, all of the following:

- (a) The duration of the extension.
- (b) The conditions under which the extension is granted.
- (c) The amount of capital investment.
- (d) The number of jobs to be created.
- (e) Any other conditions or requirements reasonably required by the board of the Michigan strategic fund.

(9) If a qualified local governmental unit in which a renaissance zone was designated under section 8 received approval by the Michigan strategic fund to extend the duration of renaissance zone status under subsection (8) for a period of 7 years and that renaissance zone is located in a county with a population of more than 190,000 and less than 240,000 according to the most recent federal decennial census, that qualified local governmental unit may reapply to the Michigan strategic fund before June 30, 2014 to extend the duration of renaissance zone status for an additional 8 years, not to exceed 15 years' total extension. The Michigan strategic fund may grant the extension if the extension will increase capital investment or job creation in this state and the owner and project developer are in compliance with the written agreement described in subsection (8).

(10) Notwithstanding any other provisions of this act, a qualified local governmental unit in which a renaissance zone was designated under subsection (4), and that is located in a county with a population of more than 1,700,000 and less than 1,900,000 according to the most recent federal decennial census, may apply to the Michigan strategic fund to extend the duration of renaissance zone status for an additional 15 years, not to exceed 30 years' total duration of renaissance zone status. The Michigan strategic fund shall not grant an application under this subsection unless each city, village, or township within which the renaissance zone is located provides a resolution from its governing body supporting the application. The Michigan strategic fund may grant the extension retroactively as follows:

- (a) Except as provided in subdivisions (b) and (c), to be effective January 1, 2023.

(b) For purposes of the taxes exempted under section 9(1)(d) and (2) and all other benefits under this act, to be effective not earlier than the date of any levy that occurred before the date an amendment has been approved by the Michigan strategic fund.

(c) For purposes of the taxes exempted under section 9(1)(c), to be effective for a tax year commencing not earlier than January 1 of the year in which an amendment has been approved by the Michigan strategic fund.

History: 1996, Act 376, Imd. Eff. July 17, 1996 ;-- Am. 1999, Act 139, Imd. Eff. Oct. 11, 1999 ;-- Am. 2000, Act 259, Imd. Eff. June 29, 2000 ;-- Am. 2002, Act 477, Imd. Eff. June 27, 2002 ;-- Am. 2006, Act 440, Imd. Eff. Oct. 5, 2006 ;-- Am. 2008, Act 116, Imd. Eff. Apr. 29, 2008 ;-- Am. 2014, Act 27, Imd. Eff. Mar. 4, 2014 ;-- Am. 2024, Act 40, Imd. Eff. May 17, 2024

Compiler's Notes: Enacting section 1 of Act 477 of 2002 provides: "Enacting section 1. This amendatory act is retroactive and is effective for 1 or more distinct geographic areas whose duration of renaissance zone status has been extended on and after April 1, 2002. Any action by a qualified local governmental unit on and after April 1, 2002 and until the effective date of this amendatory act to extend the duration of renaissance zone status on additional distinct geographic areas without approval by the board is null and void." For transfer of Michigan strategic fund from department of management and budget to department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.