

Repeal of Act 85 of 1921

Act 230 of 1975

AN ACT to repeal Act No. 85 of the Public Acts of 1921, entitled as amended "An act prescribing the fees, taxes and charges to be paid to the state by corporations; prescribing the method and basis of computing such fees, taxes and charges; requiring certain annual reports to be filed by corporations; authorizing refunds of fees, taxes or charges overpaid and prescribing the procedure to be followed with respect thereto; providing for the redetermination of franchise fees and appeals therefrom; providing for the disposition of the moneys received under this act and prescribing penalties for non-compliance with the provisions thereof," as amended, being sections 450.304 to 450.310 of the Compiled Laws of 1970.

The People of the State of Michigan enact:

Repeal of §§450.304 to 450.308, 450.309, and 450.310; final levy of franchise fee; transfer of cases; appeals; collection and enforcement provisions.

Section 1. (1) Sections 4 to 8 of Act No. 85 of the Public Acts of 1921, as amended, being sections 450.304 to 450.308 of the Compiled Laws of 1970, are repealed effective May 14, 1977. It is the intent of the legislature that the final levy of the franchise fee shall be on May 15, 1976.

(2) Sections 9 to 10 of Act No. 85 of the Public Acts of 1921, as amended, being sections 450.309 to 450.310 of the Compiled Laws of 1970, are repealed effective December 31, 1977. On December 31, 1977, all cases pending before the corporation franchise fee appeals board shall be transferred to the state tax tribunal. All appeals commencing after January 1, 1977, under section 9(2) and section 10 of Act No. 85 of the Public Acts of 1921, as amended, shall be made to the state tax tribunal.

(3) The provisions of Act No. 85 of the Public Acts of 1921, as amended, shall remain in effect for the collection and enforcement of the payment of any fee, penalty, or interest due and payable under the act for any period in which it was in effect prior to its repeal and for the collection and enforcement of the payment of any fee, penalty, and interest in connection with the final levy required by subsection (1) of this act.

Conditional effective date.

Section 2. This amendatory act shall not take effect until House Bill No. 4640 of the 1975 regular session of the legislature becomes law.

This act is ordered to take immediate effect.

Approved August 27, 1975.