

Public Acts 121-122 of 2017 were signed into law on October 5, 2017. The Acts amend MCL 211.7cc and MCL 211.120 of the General Property Tax Act to provide that the assessor of a local tax collecting unit, the Department of Treasury, or a county treasurer or equalization director can require a person who claimed a principal residence exemption (PRE), within 30 days of claiming the PRE, to file the Principal Residence Exemption Affidavit of Similar Exemption in Other States, Form 5565, stating that he or she had not claimed a substantially similar exemption, deduction, or credit in another state. Public Act 121 also prohibits a person from rescinding a substantially similar exemption, deduction, or credit claimed in another state in order to qualify for the Michigan PRE for any years denied, if the assessor of a local tax collecting unit, the Department of Treasury, or a county denied an existing claim for a PRE. The Act prescribes a penalty of \$500 for a person who claimed a PRE under the Act and a substantially similar exemption, deduction, or credit in another state.

Assessors are also advised that Public Act 121 eliminates the requirement that the local tax collecting unit submit to the Michigan Department of Treasury copies of all filed Principal Residence Exemption Affidavit, Form 2368, and Request to Rescind Principal Residence Exemption, Form 2602; instead these forms, along with Form 5565, shall be forwarded to the Michigan Department of Treasury only if requested. However, the local tax collecting unit is still required to submit to the Michigan Department of Treasury copies of filed Conditional Rescission of Principal Residence Exemption (PRE), Form 4640, Foreclosure Entity Conditional Rescission of Principal Residence Exemption (PRE), Form 4983, Principal Residence Exemption Active Duty Military, Form 4660, Notice of Denial of Principal Residence Exemption (Local (City/Township)), Form 2742, and Notice of Denial of Principal Residence Exemption (County), Form 4075.

Public Act 122 amends the General Property Tax Act to extend a misdemeanor penalty to a person who claimed a substantially similar exemption, deduction, or credit on property in another state with the intent to obtain a PRE under the Act.

Treasury staff is available to assist and answer questions regarding this Act or other PRE related questions. The following are key contacts:

PRE Unit Phone Number: (517) 373-1950

PRE Program E-mail Address: PTE-Section@michigan.gov.

Copies of all PRE forms can be found online at www.michigan.gov/PRE.