

Governor Snyder recently signed into law P.A. 161 of 2013. This Act amends MCL 211.7b regarding Veterans Exemptions to read as follows:

Sec. 7b. (1) Real property used and owned as a homestead by a disabled veteran who was discharged from the armed forces of the United States under honorable conditions or by an individual described in subsection (2) is exempt from the collection of taxes under this act. To obtain the exemption, an affidavit showing the facts required by this section and a description of the real property shall be filed by the property owner or his or her legal designee with the supervisor or other assessing officer during the period beginning with the tax day for each year and ending at the time of the final adjournment of the local board of review. The affidavit when filed shall be open to inspection. The county treasurer shall cancel taxes subject to collection under this act for any year in which a disabled veteran eligible for the exemption under this section has acquired title to real property exempt under this section. Upon granting the exemption under this section, each local taxing unit shall bear the loss of its portion of the taxes upon which the exemption has been granted.

(2) If a disabled veteran who is otherwise eligible for the exemption under this section dies, either before or after the exemption under this section is granted, the exemption shall remain available to or shall continue for his or her unremarried surviving spouse. The surviving spouse shall comply with the requirements of subsection (1) and shall indicate on the affidavit that he or she is the surviving spouse of a disabled veteran entitled to the exemption under this section. The exemption shall continue as long as the surviving spouse remains unremarried.

(3) As used in this section, "disabled veteran" means a person who is a resident of this state and who meets 1 of the following criteria:

(a) Has been determined by the United States department of veterans affairs to be permanently and totally disabled as a result of military service and entitled to veterans' benefits at the 100% rate.

(b) Has a certificate from the United States veterans' administration, or its successors, certifying that he or she is receiving or has received pecuniary assistance due to disability for specially adapted housing.

(c) Has been rated by the United States department of veterans affairs as individually unemployable.

The purpose of this communication is to make Assessors and Equalization Directors aware of this new Act and to provide some basic guidance. The State Tax Commission will issue additional guidance following their December meeting.

1. This exemption is only available to disabled veterans or, if the veteran has died, to their unremarried surviving spouse who own and use the home as their homestead.
2. The disabled veteran or their surviving spouse must be a resident of the State of Michigan.
3. Assessors are advised that eligible disabled veterans will be able to apply for a 2013 exemption at the December 2013 Board of Review. An exemption will cancel the July and December 2013 taxes, but will not cancel any taxes levied before 2013.
4. The Act requires an Affidavit be filed but does not require this Affidavit to be an official State of Michigan form. A standard Affidavit is not planned to be developed at this time.