

THE AMERICAN LEGION, DEPARTMENT OF MICHIGAN

RESOLUTION: #22-27

SUBMITTED BY: Legislative Committee

SUBJECT: Request the State of Michigan Legislature Fix Some of the Issues in the Property Tax Exemption Given to 100% Totally Disabled Veterans

RESOLUTION

WHEREAS, In 2013 the Michigan Legislature granted 100% totally disabled veterans a waiver of payment of Personal Property Tax on the property the veteran is homesteading; and

WHEREAS, In 1978 the voters of the State of Michigan passed the Headlee Amendment to the Michigan Constitution, thereby placing it under Article IX, Subsection 29, of the Michigan Constitution; and

WHEREAS, Local units of government have not been reimbursed for their loss of revenue from the Property Tax Exemption given to 100% disabled veterans and individual unemployability; and

WHEREAS, Local units of government have the option of suing the State over this issue, which could lead to an end of this program; and

WHEREAS, The State of Michigan has not, to date, passed legislation that would correct this issue; and

WHEREAS, Other issues are present in the current Public Act that established the 100% disabled veteran Property Tax Exemption; now, therefore, be it

RESOLVED, By The American Legion, Department of Michigan, in annual Department Convention assembled in Kalamazoo, Michigan, June 24-26, 2022, That The American Legion, Department of Michigan ask the State House, Senate and the Governor to work together to fix the following issues in the present law governing the Property Tax Exemption for 100% disabled veterans including, but not limited to, the following areas: 1) Develop a process where the State repays the Property Tax lost by local units of government 2) Require the veteran to file only one time for this exemption 3) Require the City or Township Assessor to grant such exemptions upon receiving the necessary paperwork 4) That such exemption also be granted to any Michigan military member's spouse when the military member is killed in the line of service to this country 5) That such exemption would continue upon the death of the veteran to their spouse, as long as that spouse did not remarry 6) That the spouse of the veteran could move to another location and still retain this benefit, so long as they did not remarry 7) That the Michigan National Guard members on State of Michigan Orders, who meet the criteria in the law, would also be eligible for this exemption, and their spouse 8) That veterans and the spouses of disabled veterans, who

have a rating of 50% but less than 100% permanent and total from the VA, be able to get a tax credit not to exceed \$2,000 for one (1) homestead property; and, be it

FINALLY RESOLVED, That The American Legion, Department of Michigan recommend that the State sets aside one billion dollars (\$1,000,000,000) of the 2.5 billion dollar budget surplus to pay for the tax liability that the State Legislature committed to the State of Michigan in 2013.

APPROVED, AS AMENDED