

HOUSE BILL No. 5976

September 11, 1990, Introduced by Rep. Jacobetti and referred to the Committee on Taxation.

A bill to amend section 36 of Act No. 206 of the Public Acts of 1893, entitled as amended

"The general property tax act,"

as amended by Act No. 290 of the Public Acts of 1989, being section 211.36 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 36 of Act No. 206 of the Public Acts of
2 1893, as amended by Act No. 290 of the Public Acts of 1989, being
3 section 211.36 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 36. (1) The township clerk of each township, on or
6 before September 30 of each year, shall make and deliver to the
7 supervisor of the clerk's township and to the county clerk, a
8 certified copy of all statements and certificates on file and of
9 all records of any vote or resolution in the clerk's office

1 authorizing or directing money to be raised in the township by
2 taxation for township, school, highway, drain, and all other pur-
3 poses, together with a statement of the aggregate amount
4 thereof. However, if the issuance of bonds or notes has been
5 approved by the electors before September 30, nothing in this
6 subsection shall preclude delivery by the clerk after
7 September 30 of a resolution authorizing additional millage to be
8 levied for debt service in the year voted. The clerk shall
9 present the copies to the county board of commissioners at its
10 annual meeting and file the copies in the clerk's office. The
11 county board of commissioners shall not levy in the year voted a
12 tax levy voted on or after September 30. This subsection does
13 not apply if 1 of subsections (2) through ~~(+0)~~ (7) applies.

14 (2) The amount of taxes that are to be levied for school
15 purposes in a school district, an intermediate school district,
16 or community or junior college district that holds an election on
17 or after September 30 and on or before November 15, or that holds
18 a second millage election under this subsection allowable pursu-
19 ant to subsection (3) on or before December 7, and that are
20 approved, shall be certified for the calendar year in which the
21 election is held, only if 1 of the following applies:

22 (a) For a school district, a prior school millage election
23 in that district has been defeated in the same calendar year.

24 (b) For a school district, the school millage election is
25 held in November on the date that school district elects its
26 board members.

1 (c) For a community or junior college district, a prior
2 community or junior college millage election in that district has
3 been defeated in the same calendar year.

4 (d) For an intermediate school district, the district has a
5 population greater than 1,400,000.

6 (e) For an intermediate school district with a population of
7 less than 1,400,000, the millage election is held on or before
8 October 15.

9 ~~(f) For a school district in the 1987 calendar year only,~~
10 ~~the district's operating millage in the 1986-87 school year was~~
11 ~~33 mills and its extra voted millage for operating purposes was~~
12 ~~22.95 mills; the district has less total operating revenue than~~
13 ~~in the previous school year; and the district has not held a~~
14 ~~school millage election in 1987 before September 30.~~

15 ~~(g) For a school district in the 1987 calendar year only,~~
16 ~~the school district during the 1986-87 school year levied 29.615~~
17 ~~operating mills, incurred an operating deficit in violation of~~
18 ~~section 102 of the state school aid act of 1979, Act No. 94 of~~
19 ~~the Public Acts of 1979, being section 388.1702 of the Michigan~~
20 ~~Compiled Laws, ended the year with a negative general fund bal-~~
21 ~~ance, and has not held a school millage election in 1987 before~~
22 ~~September 30.~~

23 (3) Except as otherwise provided in this subsection, a
24 school district, an intermediate school district, or a community
25 or junior college district shall not conduct more than 1 millage
26 election pursuant to subsection (2). If a district's operating
27 revenue is less than the total operating revenue for the previous

1 school year; the district may hold a second school millage
2 election pursuant to subsection (2) on or before December 7.

3 (4) The amount of taxes that are to be levied for township
4 purposes in a township that holds an election after September 30,
5 ~~+1986-~~ 1990 and on or before November ~~+15, +1986-~~ 6, 1990 and that
6 are approved shall be certified for the ~~+1986-~~ 1990 calendar year
7 IF A MILLAGE FOR THE SAME PURPOSE WAS DEFEATED IN THE 1990 CALEN-
8 DAR YEAR. ~~if both of the following apply:~~

9 ~~(a) The millage is for a court ordered payment of debt serv-~~
10 ~~ice for a sewer system.~~

11 ~~(b) A millage for the same purpose was defeated in the +1986~~
12 ~~calendar year.~~

13 ~~(5) The amount of taxes that are to be levied for police and~~
14 ~~fire protection in a township or the amount of taxes that are to~~
15 ~~be levied for historical purposes in a county that holds an elec-~~
16 ~~tion after September 30, +1986 and on or before November +15, +1986~~
17 ~~and that are approved shall be certified for the +1986 calendar~~
18 ~~year.~~

19 ~~(6) The amount of taxes that are to be levied for emergency~~
20 ~~medical units in a township that holds an election for renewal of~~
21 ~~a millage for this purpose before November +15, +1986 shall be cer-~~
22 ~~tified for the +1986 calendar year.~~

23 (5) ~~-(7)-~~ The amount of taxes that are to be levied for pur-
24 poses described in section 4 of Act No. 206 of the Public Acts of
25 1957, being section 259.624 of the Michigan Compiled Laws, by an
26 airport authority governed by section 7a of Act No. 206 of the
27 Public Acts of 1957, being section 259.627a of the Michigan

1 Compiled Laws, determined to be collected by a resolution of the
2 board of the authority adopted before October 15, 1989 shall be
3 certified for the 1989 calendar year.

4 ~~-(8)- The amount of taxes that are to be levied by a district~~
5 ~~library board for the purposes described in former section 5 of~~
6 ~~Act No. 164 of the Public Acts of 1955 and that are approved at~~
7 ~~an election on November 3, 1987 shall be certified for the 1987~~
8 ~~calendar year.~~

9 (6) ~~-(9)-~~ The amount of taxes that are to be levied for the
10 continuation of drug enforcement in a county or the amount of
11 taxes that are to be levied for police protection or for road
12 improvements in a township that are approved at an election on
13 November 8, 1988 shall be certified for the 1988 calendar year.

14 (7) ~~-(10)-~~ The amount of taxes that are to be levied by a
15 township for a legal fund to defend against the location of a
16 landfill that are approved at an election on November 7, 1989
17 shall be certified for the 1989 calendar year.

18 (8) ~~-(11)-~~ On the day after a millage is certified pursuant
19 to subsections (2) through ~~-(10)-~~ (7), the appropriate county
20 board of commissioners shall meet and direct or amend its direc-
21 tion for the spread of millages by local units in the county in
22 accordance with the certification or amended certification.

23 (9) ~~-(12)-~~ The reasonable and actual expenses incurred by a
24 township, county, or city in assessing and collecting the school
25 district, intermediate school district, community or junior col-
26 lege district, or airport authority taxes levied and spread
27 pursuant to an election under subsection (2), (3), or ~~-(7)-~~ (5)

1 that is held after September 30, to the extent these expenses are
2 in addition to the expense of collection and assessing any other
3 taxes at the same time and exceed the amount of any fees imposed
4 for the collection of these taxes, shall be billed to and paid by
5 the school district, intermediate school district, community or
6 junior college district, or airport authority.