

# HOUSE BILL No. 5282

October 22, 1991, Introduced by Reps. Shugars, Gagliardi, Van Singel and Gilmer 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. 236 of the Public Acts of 1990, 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. 236 of the Public Acts of 1990, 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 or the levy  
5 of taxes for school purposes has been approved by the electors  
6 before September 30, ~~nothing in~~ this subsection ~~shall~~ DOES  
7 NOT preclude delivery by the clerk after September 30 of a reso-  
8 lution authorizing additional millage to be levied in the year  
9 voted. The clerk shall present the copies to the county board of  
10 commissioners at its annual meeting and file the copies in the  
11 clerk's office. The county board of commissioners shall not levy  
12 in the year voted a tax levy voted on or after September 30.  
13 This subsection does not apply if 1 of subsections (2) through  
14 ~~(8)~~ (6) applies.

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

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

25 (b) For a school district, the school millage election is  
26 held in November on the date that school district elects its  
27 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 (3) Except as otherwise provided in this subsection, a  
10 school district, an intermediate school district, or a community  
11 or junior college district shall not conduct more than 1 millage  
12 election pursuant to subsection (2). If a district's operating  
13 revenue is less than the total operating revenue for the previous  
14 school year, the district may hold a second school millage elec-  
15 tion pursuant to subsection (2) on or before December 7.

16 (4) The amount of taxes that are to be levied for township  
17 purposes in a township that holds an election after September 30,  
18 1990 and on or before November 6, 1990 and that are approved  
19 shall be certified for the 1990 calendar year.

20 ~~(5) The amount of taxes that are to be levied for purposes~~  
21 ~~described in section 4 of Act No. 206 of the Public Acts of 1957,~~  
22 ~~being section 259.624 of the Michigan Compiled Laws, by an air-~~  
23 ~~port authority governed by section 7a of Act No. 206 of the~~  
24 ~~Public Acts of 1957, being section 259.627a of the Michigan~~  
25 ~~Compiled Laws, determined to be collected by a resolution of the~~  
26 ~~board of the authority adopted before October 15, 1989 shall be~~  
27 ~~certified for the 1989 calendar year.~~

1       ~~(6) The amount of taxes that are to be levied for the~~  
2 ~~continuation of drug enforcement in a county or the amount of~~  
3 ~~taxes that are to be levied for police protection or for road~~  
4 ~~improvements in a township that are approved at an election on~~  
5 ~~November 8, 1988 shall be certified for the 1988 calendar year.~~

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

10       (5) ~~(8)~~ The amount of taxes, not to exceed 1/4 mill, that  
11 are to be levied for county services to senior citizens in a  
12 county that holds an election after September 30, 1990 and on or  
13 before November 6, 1990 and that are approved shall be certified  
14 for the 1990 calendar year.

15       (6) THE AMOUNT OF TAXES THAT ARE TO BE LEVIED FOR A DISTRICT  
16 LIBRARY BY A MUNICIPALITY THAT HOLDS AN ELECTION AFTER  
17 SEPTEMBER 30 AND BEFORE NOVEMBER 15 IN A YEAR IN WHICH THE MUNIC-  
18 IPALITY JOINS AN EXISTING DISTRICT LIBRARY AFTER MARCH 30 AND  
19 THAT ARE APPROVED AT THE ELECTION SHALL BE CERTIFIED FOR THAT  
20 CALENDAR YEAR. AS USED IN THIS SUBSECTION, "MUNICIPALITY" MEANS  
21 THAT TERM AS DEFINED IN SECTION 2 OF THE DISTRICT LIBRARY ESTAB-  
22 LISHMENT ACT, ACT NO. 24 OF THE PUBLIC ACTS OF 1989, BEING  
23 SECTION 397.172 OF THE MICHIGAN COMPILED LAWS.

24       (7) ~~(9)~~ On the day after a millage is certified pursuant  
25 to subsections (2) through ~~(8)~~ (6), the appropriate county  
26 board of commissioners shall meet and direct or amend its  
27 direction for the spread of millages by local units in the county

1 ~~in accordance with~~ PURSUANT TO the certification or amended  
2 certification.

3 (8) ~~(10)~~ The reasonable and actual expenses incurred by a  
4 township, county, or city in assessing and collecting the school  
5 district, intermediate school district, OR community or junior  
6 college district ~~, or airport authority~~ taxes levied and spread  
7 pursuant to an election under subsection (2) ~~,~~ OR (3) ~~,~~  
8 ~~(5)~~ that is held after September 30, to the extent these  
9 expenses are in addition to the expense of collection and assess-  
10 ing any other taxes at the same time and exceed the amount of any  
11 fees imposed for the collection of these taxes, shall be billed  
12 to and paid by the school district, intermediate school district,  
13 OR community or junior college district. ~~, or airport~~  
14 ~~authority.~~