



**House
Legislative
Analysis
Section**

Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-8466

SUMMER SCHOOL TAX REQUESTS

House Bill 4214 as introduced
First Analysis (4-28-93)

Sponsor: Rep. Timothy L. Walberg
Committee: Education

THE APPARENT PROBLEM:

The School Code allows a local or intermediate school district to impose a summer tax levy by adoption of a resolution by the district's board. The resolution, the code says, may be applicable until revoked or may be for a specific year or specific years. The code also requires that for each year a resolution applies, the district must before January 1 request each city and township in which it is located to agree to collect the summer levy. Reportedly, this last requirement has been interpreted to mean that the district's board must annually make the request, that it is not sufficient for a superintendent to make the request pursuant to a board's resolution. Some people believe this should be made clear.

THE CONTENT OF THE BILL:

The bill would amend the School Code to specify that the superintendent of a school district could request a local unit to collect summer taxes (pursuant to an already approved school board resolution determining that a summer levy would be imposed), and that the local or intermediate district would not be required to take any formal action for the superintendent's request to be effective.

MCL 380.1613

FISCAL IMPLICATIONS:

There is no information at present.

ARGUMENTS:

For:

The bill would simply allow a superintendent of schools to request the local municipal government to collect a school district's summer tax levy. The School Code says the "school district or intermediate school district" must make this request, without specifying whether that refers to the board or the professional administration. The decision

whether to impose this levy would remain the school board's and would continue to be carried out by board resolution. The collection request is an administrative task once a resolution has been approved.

Against:

It might serve some useful purpose to have a district board make the request for collection as a means of revisiting the decision to levy a summer tax. It could allow for public input on what in some areas is a controversial subject.

Response:

It should be reiterated that a board must hold a public hearing before the resolution authorizing a summer levy is adopted. There is already opportunity for public debate.

POSITIONS:

The Michigan Association of School Administrators indicated its support for the bill to the House Education Committee. (4-27-93)

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