



HOUSE BILL No. 5376

November 7, 1995, Introduced by Rep. Bullard and referred to the Committee on Tax Policy.

A bill to amend section 4 of Act No. 116 of the Public Acts of 1923, entitled as amended "Township and village public improvement and public service act," as amended by Act No. 82 of the Public Acts of 1989, being section 41.414 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 4 of Act No. 116 of the Public Acts of
2 1923, as amended by Act No. 82 of the Public Acts of 1989, being
3 section 41.414 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 4. (1) ~~Special~~ FOR A SPECIAL ASSESSMENT LEVIED
6 BEFORE AUGUST 1995 FOR THE COST OF AN IMPROVEMENT OR SERVICE
7 SPECIFIED IN SECTION 1, THE SPECIAL assessment installments for 1
8 year shall not be levied ~~upon~~ ON property in excess of 15% of
9 that property's assessed valuation. ~~for the cost of an~~

~~1 improvement or service specified in section 1. The~~ FOR A
2 SPECIAL ASSESSMENT LEVIED AFTER JULY 1995 FOR THE COST OF AN
3 IMPROVEMENT OR SERVICE SPECIFIED IN SECTION 1, THE SPECIAL
4 ASSESSMENT INSTALLMENTS FOR 1 YEAR SHALL NOT BE LEVIED ON PROP-
5 ERTY IN EXCESS OF 15% OF THAT PROPERTY'S TAXABLE VALUE. FOR A
6 SPECIAL ASSESSMENT LEVIED BEFORE AUGUST 1995, THE total assess-
7 ment installments for a year for a combination of ~~such~~ improve-
8 ments or services SPECIFIED IN SECTION 1, regardless of the year
9 in which the assessment installments are levied, shall not ~~be in~~
10 ~~excess of~~ EXCEED 45% of the property's assessed valuation. FOR
11 A SPECIAL ASSESSMENT LEVIED AFTER JULY 1995, THE TOTAL ASSESSMENT
12 INSTALLMENTS FOR A YEAR FOR A COMBINATION OF IMPROVEMENTS OR
13 SERVICES SPECIFIED IN SECTION 1, REGARDLESS OF THE YEAR IN WHICH
14 THE ASSESSMENT INSTALLMENTS ARE LEVIED, SHALL NOT EXCEED 45% OF
15 THE PROPERTY'S TAXABLE VALUE. The collection of the special
16 assessments shall be by installments as provided by THE GENERAL
17 LAW VILLAGE ACT, Act No. 3 of the Public Acts of 1895, being sec-
18 tions 61.1 to ~~74.22~~ 74.25 of the Michigan Compiled Laws.
19 However, assessments for paving, for street markers and
20 lampposts, or for a combination of projects authorized by section
21 1 that includes paving may be divided into a number of annual
22 installments not exceeding 10. Assessments for the construction
23 of filtration plants, for the construction or extension of sani-
24 tary sewers or water mains to provide water for fire protection
25 and domestic uses, or for a combination of projects authorized by
26 section 1 that includes the construction or extension of sanitary
27 sewers or water mains to provide water for fire protection and

1 domestic uses may be divided into a number of annual installments
2 not exceeding 20. Assessments for the purchase or construction
3 of waterworks or sewage disposal plants may be divided into a
4 number of annual installments not exceeding 40.

5 (2) An appeal may be taken from the assessment of the super-
6 visor to the board of public service commissioners, which shall
7 act as a board of review and have the same powers and duties and
8 be governed by the same procedures and the same legal conse-
9 quences as the board of review provided for in the general ~~tax~~
10 ~~laws of this state~~ PROPERTY TAX ACT, ACT NO. 206 OF THE PUBLIC
11 ACTS OF 1893, BEING SECTIONS 211.1 TO 211.157 OF THE MICHIGAN
12 COMPILED LAWS.

13 (3) If a village or district is served by a waterworks,
14 water reservoir, or aqueduct to a source of water supply estab-
15 lished without expense to the township at large, the works shall
16 not be tapped for the purpose of supplying water outside of the
17 village or district if the tapping would seriously deplete or
18 imperil the water supply or pressure of the village or district.
19 The works shall not be tapped in any case without the consent of
20 the board of public service commissioners. If a village or dis-
21 trict is served by a public improvement or service described in
22 section 1 that has been established and is being operated without
23 expense to the township, no part of a tax or assessment shall be
24 levied by the township upon the village or district for the pur-
25 pose of establishing or operating a similar improvement or facil-
26 ity for other parts of the township.

1 (4) AS USED IN THIS SECTION, "TAXABLE VALUE" MEANS THAT
2 VALUE DETERMINED UNDER SECTION 27A OF ACT NO. 206 OF THE PUBLIC
3 ACTS OF 1893, BEING SECTION 211.27A OF THE MICHIGAN COMPILED
4 LAWS.