



# HOUSE BILL No. 5413

November 28, 1995, Introduced by Reps. Lowe, Alley, Gernaat, Goschka, Green and Bodem and referred to the Committee on Appropriations.

A bill to amend section 20b of Act No. 283 of the Public Acts of 1909, entitled as amended

"An act to revise, consolidate and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance and use of the public highways and private roads, the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; setting and protecting shade trees, drainage, cutting weeds and brush within this state, and providing for the election or appointment and defining the powers, duties and compensation of state, county, township and district highway officials,"

being section 224.20b of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 20b of Act No. 283 of the Public Acts of  
2 1909, being section 224.20b of the Michigan Compiled Laws, is  
3 amended to read as follows:

4       Sec. 20b. (1) Notwithstanding any other provision of this  
5 act, the board of commissioners of any county by proper  
6 resolution may submit to the electorate of the county at any

1 general or special election the question of a tax levy for  
2 highway, road, and street purposes or for 1 or more specific  
3 highway, road, or street purposes, including but not limited to  
4 bridges, as may be specified by the board.

5 (2) Unless otherwise agreed by the governing bodies of the  
6 cities and villages and the board of county road commissioners,  
7 the revenues derived from the tax levy authorized by this section  
8 shall be allocated and distributed by the county treasurer as  
9 follows:

10 (a) To the county road fund:

11 (i) A percentage of the total revenues equal to the propor-  
12 tion that the state equalized valuation of the unincorporated  
13 area of the county bears to the total state equalized value of  
14 the county.

15 (ii) A percentage of the remainder of the revenues equal to  
16 the proportion that the county primary road mileage within cities  
17 and villages bears to the total of the city and village major  
18 street mileage in the county plus the county primary road mileage  
19 within cities and villages in the county. The mileages to be  
20 used are the most recent mileages as certified by the state  
21 ~~highway~~ TRANSPORTATION commission.

22 (b) The remaining revenues shall be distributed to the  
23 cities and villages in the proportion that the state equalized  
24 valuation of each bears to the total state equalized valuation of  
25 the incorporated areas of the county.

26 (3) The revenues allocated to the cities and villages shall  
27 be expended exclusively for highway, road, and street purposes.

1 The revenues allocated to the county road fund shall be expended  
2 by the board of county road commissioners exclusively for high-  
3 way, road, and street purposes.

4 (4) Notwithstanding ~~the provisions of~~ section 22, ~~of this~~  
5 ~~chapter,~~ section 7 of Act No. 156 of the Public Acts of 1851,  
6 ~~as amended,~~ being section 46.7 of the MICHIGAN Compiled Laws,  
7 ~~of 1948,~~ or section 1 of Act No. 28 of the Public Acts of 1911,  
8 being section 141.71 of the MICHIGAN Compiled Laws, ~~of 1948,~~ a  
9 board of county commissioners shall not submit to the electorate  
10 of the county the question of a tax levy for any highway, road,  
11 or street purpose, including but not limited to bridges, ~~nor~~ OR  
12 submit the question of borrowing money for any such purpose, to  
13 be voted upon at any election held on or after September 1, 1971  
14 unless the revenues or proceeds are allocated and distributed in  
15 the same manner as the revenues derived from a tax levy autho-  
16 rized by this section.

17 (5) THE STATE SHALL PAY TO A COUNTY AN AMOUNT CALCULATED  
18 UNDER SUBSECTION (6) IF ALL OF THE FOLLOWING CONDITIONS EXIST IN  
19 THAT COUNTY AFTER THE EFFECTIVE DATE OF THIS SUBSECTION:

20 (A) THE ELECTORATE OF THE COUNTY AUTHORIZES A TAX LEVY OF  
21 NOT LESS THAN 1 MILL UNDER THIS SECTION.

22 (B) AT LEAST 70% OF REAL PROPERTY WITHIN THAT COUNTY IS  
23 EXEMPT FROM THE TAX LEVIED UNDER THIS SECTION.

24 (C) AT LEAST 45% OF REAL PROPERTY WITHIN THAT COUNTY IS NOT  
25 ASSESSED AT 50% OF TRUE CASH VALUE FOR TAXES COLLECTED UNDER THE  
26 GENERAL PROPERTY TAX ACT, ACT NO. 206 OF THE PUBLIC ACTS OF 1893,  
27 BEING SECTIONS 211.1 TO 211.157 OF THE MICHIGAN COMPILED LAWS.

1       (6) IF ALL OF THE CONDITIONS OF SUBSECTION (5) ARE MET, THE  
2 STATE SHALL PAY TO THE COUNTY DESCRIBED IN SUBSECTION (5) THE  
3 AMOUNT THE COUNTY WOULD HAVE RECEIVED IF THE COUNTY HAD LEVIED  
4 1 MILL UNDER THIS SECTION, LESS REVENUES RECEIVED AS A RESULT OF  
5 THAT TAX LEVY, HAD 100% OF THE REAL PROPERTY WITHIN THAT COUNTY  
6 BEEN SUBJECT TO THE TAX LEVY AND ASSESSED AT 50% OF TRUE CASH  
7 VALUE.