

REPRINT

SUBSTITUTE FOR

HOUSE BILL NO. 5168

(As passed the House, April 28, 1998)

A bill to amend 1933 PA 62, entitled
"Property tax limitation act,"
by amending the title and sections 5a and 5b (MCL 211.205a and
211.205b), the title and section 5b as amended by 1994 PA 190.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

TITLE

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An act to provide limits on the rate of taxation on

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property; ~~and~~ to provide for a division of the rate of taxa-

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tion between counties, townships, municipal corporations, inter-

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mediate school districts, and other local units; ~~and~~ to earmark

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funds raised by increasing the total tax limitation; TO PRESCRIBE

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PENALTIES AND PROVIDE REMEDIES; and to repeal all acts and parts

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of acts and charters and parts of charters of municipal

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corporations inconsistent with or contravening the provisions of

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this act.

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1 Sec. 5a. (1) A vote on adopting separate tax limitations
2 shall be initiated by petition signed by not less than 4% of the
3 registered electors of each township and city within the county.
4 The petition shall be filed with the county clerk not less than
5 30 days before the convening of the board in regular session, or
6 any special session called for the purpose of considering the
7 petition.

8 (2) A PETITION UNDER THIS SECTION, INCLUDING THE CIRCULATION
9 AND SIGNING OF THE PETITION, IS SUBJECT TO SECTION 488 OF THE
10 MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.488. A PERSON WHO
11 VIOLATES A PROVISION OF THE MICHIGAN ELECTION LAW, 1954 PA 116,
12 MCL 168.1 TO 168.992, APPLICABLE TO A PETITION DESCRIBED IN THIS
13 SECTION IS SUBJECT TO THE PENALTIES PRESCRIBED FOR THAT VIOLATION
14 IN THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.1 TO 168.992.

15 Sec. 5b. (1) The petition for the adoption of a separate
16 tax limitation shall be in substantially the following form:
17 "Petition initiating procedures for the adoption of separate tax
18 limitations to the county board of commissioners:

19 We, the undersigned qualified and registered electors and
20 residents of the city or township of, in the county
21 of, and state of Michigan, petition the county
22 board of commissioners to place before the voters of this county
23 the question of establishing separate tax limitation millage
24 rates for a period of years or for an indefinite period,
25 or until altered by the voters of the county, for the county of
26 and the townships and intermediate school

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1 districts within the county, the aggregate of which shall not
2 exceed mills, as follows:

3

4

Mills

5 County of

6 Townships

7 Intermediate school districts

8 Total "

9

~~—WARNING~~

10 ~~A person who knowingly signs this petition more than once,~~
11 ~~signs a name other than his or her own name, signs if not a qual-~~
12 ~~ified and registered elector, or places opposite his or her sig-~~
13 ~~nature on a petition a date other than the actual date the signa-~~
14 ~~ture was affixed, is in violation of the law."~~

15 (2) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (1), THE
16 PETITION SHALL ALSO INCLUDE A WARNING AS PRESCRIBED IN SECTION
17 482 OF THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.482.

18 (3) ~~—(2)—~~ The circulator of the petition shall be a quali-
19 fied and registered elector of the county in which he or she cir-
20 culates the petition. Petitions shall be signed and acknowledged
21 by the circulator before a person authorized by law to take
22 acknowledgments.

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1 Enacting section 1. This amendatory act does not take
2 effect unless House Bill No. 5138 of the 89th Legislature is
3 enacted into law.