

HOUSE BILL No. 4902

June 10, 1997, Introduced by Reps. Law, DeHart, Cassis, Raczkowski, Hammerstrom, Bankes, Godchaux and Kelly and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 705 (MCL 380.705), as amended by 1994 PA
258.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 705. (1) ~~Beginning~~ SUBJECT TO SUBSECTION (8) AND
2 EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, BEGINNING in 1997
3 and each year after 1997, a regional enhancement property tax may
4 be levied by an intermediate school district at a rate not to
5 exceed 3 mills to enhance other state and local funding for local
6 school district operations if approved by a majority of the
7 intermediate school electors voting on the question.
8 (2) ~~If~~ SUBJECT TO SUBSECTION (8) AND EXCEPT AS OTHERWISE
9 PROVIDED IN THIS SECTION, IF a resolution requesting that the
10 question of a regional enhancement property tax be submitted to

1 the ~~voters~~ INTERMEDIATE SCHOOL ELECTORS is adopted within a
2 180-day period and transmitted to the intermediate school board
3 by 1 or more boards of its constituent school districts repre-
4 senting a majority of the combined membership of the constituent
5 school districts as of the most recent pupil membership count day
6 AND REPRESENTING AT LEAST 1/3 OF THE TOTAL NUMBER OF CONSTITUENT
7 SCHOOL DISTRICTS WITHIN THE INTERMEDIATE SCHOOL DISTRICT, and if
8 those resolutions all contain an identical specified number of
9 mills to be levied under this section and an identical specified
10 number of years for which the tax shall be levied, the question
11 of levying a regional enhancement property tax by the intermedi-
12 ate school district shall be placed on the ballot by the interme-
13 diate school district at the next annual school election held in
14 each of the constituent SCHOOL districts EXCEPT A CONSTITUENT
15 SCHOOL DISTRICT ELECTING UNDER SUBSECTION (3) NOT TO PARTICIPATE
16 IN THE REGIONAL ENHANCEMENT PROPERTY TAX. However, if the ques-
17 tion is to be submitted at an annual school election and a con-
18 stituent SCHOOL district EXCEPT A CONSTITUENT SCHOOL DISTRICT
19 ELECTING UNDER SUBSECTION (3) NOT TO PARTICIPATE IN THE REGIONAL
20 ENHANCEMENT PROPERTY TAX does not hold its annual election on the
21 second Monday in June, the intermediate school board shall call a
22 special election in that constituent SCHOOL district to be held
23 on the same day as the annual school election. If the question
24 is to be submitted to the intermediate school electors of an
25 intermediate school district having a population of more than
26 1,400,000, the intermediate school board shall call a special
27 election to be held at the next state primary or general

1 election. However, if the resolution requirement is met more
2 than 180 days before the next annual school district elections to
3 be held on the second Monday in June, and if requested in the
4 resolutions, the intermediate school board shall submit the ques-
5 tion of levying a regional enhancement property tax within the
6 intermediate school district on the ballot at a special election
7 under section 662 called by the intermediate school board for
8 that purpose not earlier than 90 days or later than 120 days
9 after the resolution requirements are met, TO BE HELD IN ALL CON-
10 STITUENT SCHOOL DISTRICTS EXCEPT A CONSTITUENT SCHOOL DISTRICT
11 ELECTING UNDER SUBSECTION (3) NOT TO PARTICIPATE IN THE REGIONAL
12 ENHANCEMENT PROPERTY TAX.

13 (3) A CONSTITUENT SCHOOL DISTRICT MAY ELECT NOT TO PARTICI-
14 PATE IN A REGIONAL ENHANCEMENT PROPERTY TAX BY RESOLUTION ADOPTED
15 BY ITS BOARD NOT LATER THAN 30 DAYS AFTER RECEIPT OF NOTICE THAT
16 THE QUESTION OF ESTABLISHING THE REGIONAL ENHANCEMENT PROPERTY
17 TAX WILL BE SUBMITTED TO THE INTERMEDIATE SCHOOL ELECTORS.

18 (4) A CONSTITUENT SCHOOL DISTRICT ELECTING UNDER
19 SUBSECTION (3) NOT TO PARTICIPATE IN THE REGIONAL ENHANCEMENT
20 PROPERTY TAX MAY LATER ELECT TO PARTICIPATE IN THE REGIONAL
21 ENHANCEMENT PROPERTY TAX IF AT A SPECIAL OR ANNUAL ELECTION A
22 MAJORITY OF THE SCHOOL ELECTORS VOTING APPROVE PARTICIPATION IN
23 THE REGIONAL ENHANCEMENT PROPERTY TAX AND THE ANNUAL TAX RATE FOR
24 THAT PURPOSE IN EFFECT IN THE INTERMEDIATE SCHOOL DISTRICT.

25 (5) ~~-(3)-~~ Not later than 10 days after receipt by the inter-
26 mediate school district of the revenue from the regional
27 enhancement property tax UNDER SUBSECTION (2), the intermediate

1 school district shall calculate and pay to each of its
2 constituent school districts PARTICIPATING IN THE REGIONAL
3 ENHANCEMENT PROPERTY TAX an amount of the revenue calculated by
4 dividing the total amount of the revenue by the combined member-
5 ship of the constituent school districts ~~within the intermediate~~
6 ~~district~~ PARTICIPATING IN THE REGIONAL ENHANCEMENT PROPERTY TAX,
7 as of the most recent pupil membership count day, and multiplying
8 that quotient by the constituent school district's membership, as
9 of the most recent pupil membership count day for which a final
10 department-audited pupil count is available.

11 (6) SUBJECT TO SUBSECTION (8) AND EXCEPT AS OTHERWISE PRO-
12 VIDED IN THIS SECTION, IF A RESOLUTION REQUESTING THAT THE QUES-
13 TION OF ALLOWING A LOCAL ENHANCEMENT PROPERTY TAX BE SUBMITTED TO
14 THE INTERMEDIATE SCHOOL ELECTORS IS ADOPTED WITHIN A 180-DAY
15 PERIOD AND TRANSMITTED TO THE INTERMEDIATE SCHOOL BOARD BY 2/3 OR
16 MORE OF THE BOARDS OF ITS CONSTITUENT SCHOOL DISTRICTS, THE QUES-
17 TION OF ALLOWING CONSTITUENT SCHOOL DISTRICTS TO LEVY A LOCAL
18 ENHANCEMENT PROPERTY TAX UNDER SUBSECTION (7) SHALL BE PLACED ON
19 THE BALLOT BY THE INTERMEDIATE SCHOOL DISTRICT AT THE NEXT ANNUAL
20 SCHOOL ELECTION HELD IN EACH OF THE CONSTITUENT DISTRICTS.
21 HOWEVER, IF THE QUESTION IS TO BE SUBMITTED AT AN ANNUAL SCHOOL
22 ELECTION AND A CONSTITUENT DISTRICT DOES NOT HOLD ITS ANNUAL
23 ELECTION ON THE SECOND MONDAY IN JUNE, THE INTERMEDIATE SCHOOL
24 BOARD SHALL CALL A SPECIAL ELECTION IN THAT CONSTITUENT DISTRICT
25 TO BE HELD ON THE SAME DAY AS THE ANNUAL SCHOOL ELECTION. IF THE
26 QUESTION IS TO BE SUBMITTED TO THE INTERMEDIATE SCHOOL ELECTORS
27 OF AN INTERMEDIATE SCHOOL DISTRICT HAVING A POPULATION OF MORE

1 THAN 1,400,000, THE INTERMEDIATE SCHOOL BOARD SHALL CALL A
2 SPECIAL ELECTION TO BE HELD AT THE NEXT STATE PRIMARY OR GENERAL
3 ELECTION. HOWEVER, IF THE RESOLUTION REQUIREMENT IS MET MORE
4 THAN 180 DAYS BEFORE THE NEXT ANNUAL SCHOOL DISTRICT ELECTIONS TO
5 BE HELD ON THE SECOND MONDAY IN JUNE, AND IF REQUESTED IN THE
6 RESOLUTIONS, THE INTERMEDIATE SCHOOL BOARD SHALL SUBMIT THE QUES-
7 TION OF ALLOWING CONSTITUENT SCHOOL DISTRICTS TO LEVY A LOCAL
8 ENHANCEMENT PROPERTY TAX ON THE BALLOT AT A SPECIAL ELECTION
9 UNDER SECTION 662 CALLED BY THE INTERMEDIATE SCHOOL BOARD FOR
10 THAT PURPOSE NOT EARLIER THAN 90 DAYS OR LATER THAN 120 DAYS
11 AFTER THE RESOLUTION REQUIREMENTS ARE MET.

12 (7) IF THE QUESTION UNDER SUBSECTION (6) HAS BEEN APPROVED
13 IN AN INTERMEDIATE SCHOOL DISTRICT AND IF THE SCHOOL ELECTORS OF
14 A CONSTITUENT SCHOOL DISTRICT OF THAT INTERMEDIATE SCHOOL DIS-
15 TRICT APPROVE THE LEVY IN THAT SCHOOL DISTRICT OF A LOCAL
16 ENHANCEMENT PROPERTY TAX UNDER THIS SUBSECTION AT AN ELECTION
17 HELD AFTER 1996, THE SCHOOL DISTRICT MAY LEVY, IN ADDITION TO THE
18 MILLAGE AUTHORIZED UNDER SECTION 1211, NOT MORE THAN 3 ADDITIONAL
19 MILLS FOR ENHANCING OPERATING REVENUE. THE QUESTION OF LEVYING
20 MILLS AUTHORIZED UNDER THIS SUBSECTION SHALL BE PRESENTED TO
21 SCHOOL ELECTORS AS A SEPARATE QUESTION AND IDENTIFIED AS BEING
22 FOR ENHANCEMENT OF LOCAL OPERATING REVENUE. A SCHOOL DISTRICT
23 THAT IS NOT A SCHOOL DISTRICT DESCRIBED IN SECTION 20(8) OR (9)
24 OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1620, SHALL NOT LEVY
25 ANY MILLAGE UNDER THIS SUBSECTION UNLESS THE SCHOOL DISTRICT
26 LEVIES, FOR THE SAME TAX YEAR, THE MAXIMUM NUMBER OF MILLS UNDER

1 SECTION 1211 THAT DOES NOT EXCEED THE LIMITATIONS IMPOSED BY
2 SECTION 1211(3).

3 (8) IF THE INTERMEDIATE SCHOOL ELECTORS HAVE APPROVED THE
4 LEVY OF A REGIONAL ENHANCEMENT PROPERTY TAX UNDER SUBSECTIONS (1)
5 AND (2), SUBSECTIONS (6) AND (7) DO NOT APPLY TO THAT INTERMEDI-
6 ATE SCHOOL DISTRICT. IF THE INTERMEDIATE SCHOOL ELECTORS HAVE
7 APPROVED THE QUESTION UNDER SUBSECTION (6), SUBSECTIONS (1) TO
8 (5) DO NOT APPLY TO THAT INTERMEDIATE SCHOOL DISTRICT.

9 (9) ~~(4)~~ Regional OR LOCAL enhancement property tax under
10 this section may be levied for a term not to exceed 20 years, as
11 specified in the ballot question, and may be renewed for the same
12 term with the approval of a majority of the intermediate school
13 electors OR, FOR LOCAL ENHANCEMENT PROPERTY TAX UNDER
14 SUBSECTION (7), A MAJORITY OF THE SCHOOL ELECTORS OF THE SCHOOL
15 DISTRICT, voting on the question.

16 (10) ~~(5) The~~ A question ~~of levying a regional enhancement~~
17 ~~property tax~~ PRESENTED under this section ~~shall be presented~~
18 to the intermediate school electors OR TO THE SCHOOL ELECTORS OF
19 A SCHOOL DISTRICT SHALL BE PRESENTED as a separate question.