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MOVE UNPAID EMERGENCY SERVICE FEES TO LOCAL TAX ROLLS

House Bill 4423

Sponsor: Rep. Stephen Ehardt

Committee: Transportation

Complete to 3-19-99

A SUMMARY OF HOUSE BILL 4423 AS INTRODUCED 3-18-99

House Bill 4423 would amend the act authorizing the collection of fees for certain emergency services in townships and other municipalities, to allow local units of government to collect unpaid fees by placing delinquent service fees on the tax roll.

Under current law, the legislative body of a municipality providing emergency police or fire service, or the legislative bodies of municipalities acting jointly to provide such a service, may authorize by ordinance the collection of service fees. Likewise, a township board or a county board of commissioners providing emergency ambulance and inhalator service, either alone or jointly with another municipality, may authorize services fees by ordinance.

Under the bill, local units of government could write their service fee ordinances to do one of the following:

- annually certify fees delinquent for three or more months to the proper tax collecting officer to be entered in a separate column on the next tax roll against real property owned by the person responsible for payment of the fee and provide that amounts entered on the tax roll become a lien against real property owned by the person responsible for payment of the fee; or

- certify the rate or charge to the property tax collecting officer to be entered in a separate column on the next tax roll against real property owned by the person responsible for payment of the fee for initial collection in the same manner as ad valorem property taxes under the General Property Tax Act, and provide that amounts entered on the tax roll become a lien against real property owned by the person responsible for payment of the fee. An owner of property to which fire service is dispatched is the person responsible for payment of the fee for fire service. An owner of property to which emergency police or emergency ambulance and inhalator service is dispatched is the person responsible for payment of the fee for that service if one or more of the following conditions are satisfied: a) the owner (or the property's representative) requests the emergency police or emergency ambulance and inhalator service; and/or the owner occupies the property to which the emergency police or emergency ambulance and inhalator service was dispatched.

In addition, House Bill 4423 specifies that if a rate or charge entered on the tax roll was not paid before February 15, the rate or charge would be returned as delinquent to the county treasurer and collected in the same manner as provided for delinquent taxes under the General

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Property Tax Act. However, property would not be subject to sale for nonpayment of the rate or charge unless the property was also subject to sale for delinquent property taxes.

Finally, the bill specifies that these provisions would not limit the authority of the municipality or county to collect a fee by any other means authorized by law for the collection of a debt.

MCL 41.806a

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.