

**SPECIAL ASSESSMENT HEARING
NOTICES**

House Bill 5296 as enrolled

Public Act 331 of 2000

Sponsor: Rep. Patricia Birkholz

**House Committee: Local Government and
Urban Policy**

**Senate Committee: Local, Urban, and State
Affairs**

Second Analysis (12-19-00)

THE APPARENT PROBLEM:

Besides mailing notices to affected homeowners, townships must also publish a notice in a local newspaper announcing a hearing regarding special assessments. Some of these published notices also contain lists of the affected properties by property identification number. Apparently, some township residents would prefer that more detailed information be printed along with the property identification numbers. Residents who live nearby, and who are interested in the hearing process because they may also be affected or brought into the assessment at a future time, often miss the hearing, as they do not recognize which area of the township is being notified because they do not know which parcels the identification numbers refer to.

THE CONTENT OF THE BILL:

House Bill 5296 would amend Public Act 188 of 1954, an act that governs how townships issue bonds in the anticipation of collections for special assessments. Current law requires that notice of hearings in special assessment proceedings must be mailed to each property owner 10 days before the hearing. In addition, notice must be published twice before the hearing in a newspaper circulating in the township, and under the law the first publication of notice must be at least 10 days before the date of the hearing. House Bill 5296 would retain these provisions and also require that if a published hearing notice included a list of the property identification numbers for each parcel of property to be assessed, that the list could provide either the individual property identification number for each parcel of property to be assessed or one or more

sequential sets of property identification numbers, which include each parcel of property to be assessed. In addition, such a published notice would also have to include either a map depicting the area of the proposed special assessment district or a written description of the proposed special assessment district.

MCL 41.724a

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the bill would increase costs to local governmental units to the extent that the additional notification requirements would require more newspaper space. Given that advertising rates can vary significantly from one newspaper to another, and that the amount of additional space that would be required is not known, the fiscal impact on the local units is indeterminate. The agency reports that the bill would have no state fiscal impact. (11-14-00)

ARGUMENTS:

For:

Though homeowners are notified by mail about a hearing for a special assessment, those who live nearby may not realize that a township project that could also affect them is imminent. A township is also required to publish a notice in a local newspaper, but since affected properties are identified by a parcel number, a resident may not realize the area in question. Some residents have tried to contact their township offices for more information, only to experience difficulties in reaching

anyone due to limited hours of operation. This has left some township residents feeling frustrated or feeling the township is trying to hide something. If the geographic area of the affected properties were listed in the newspaper, township residents could easily identify if the proposed project would also have an impact on them. Since the bill would only pertain to those notices in which the township includes property identification numbers, the cost to add such information should not prove to be prohibitive.

Against:

Advertising space in newspapers is extremely expensive. Perhaps a less expensive alternative could be explored, such as posting a list of the affected addresses or geographic area outside the township offices where it could be viewed even if the office were closed.

Analyst: S. Stutzky

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