

HOUSE BILL No. 4423

March 18, 1999, Introduced by Reps. Ehardt, Mortimer, Mead, Vear, Julian, Sheltroun, Sanborn and Garcia and referred to the Committee on Transportation.

A bill to amend 1951 PA 33, entitled

"An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts,"

by amending section 6a (MCL 41.806a), as added by 1990 PA 102.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 6a. (1) The legislative body of a municipality
- 2 providing emergency police or fire service or the legislative
- 3 bodies of municipalities acting jointly to provide such a service

1 pursuant to this act may authorize by ordinance the collection of
2 fees for the service.

3 (2) The township board of a township or the county board of
4 commissioners of a county providing emergency ambulance and inha-
5 lator service alone or jointly with another municipality and the
6 legislative body of such a municipality may authorize by ordi-
7 nance the collection of fees for the service.

8 (3) AN ORDINANCE ADOPTED UNDER SUBSECTION (1) OR (2) MAY
9 AUTHORIZE THE LEGISLATIVE BODY OF A MUNICIPALITY OR THE COUNTY
10 BOARD OF COMMISSIONERS OF A COUNTY, AS APPLICABLE, TO DO 1 OF THE
11 FOLLOWING:

12 (A) ANNUALLY CERTIFY FEES DELINQUENT FOR 3 MONTHS OR MORE TO
13 THE PROPER TAX COLLECTING OFFICER TO BE ENTERED IN A SEPARATE
14 COLUMN ON THE NEXT TAX ROLL AGAINST REAL PROPERTY OWNED BY THE
15 PERSON RESPONSIBLE FOR PAYMENT OF THE FEE AND PROVIDE THAT
16 AMOUNTS ENTERED ON THE TAX ROLL BECOME A LIEN AGAINST REAL PROP-
17 ERTY OWNED BY THE PERSON RESPONSIBLE FOR PAYMENT OF THE FEE. A
18 DELINQUENT FEE SHALL NOT BE ENTERED ON THE TAX ROLL AGAINST, AND
19 A LIEN SHALL NOT BE IMPOSED ON, PROPERTY OWNED BY A PERSON WHO IS
20 NOT RESPONSIBLE FOR PAYMENT OF THE FEE FOR SERVICE.

21 (B) CERTIFY THE RATE OR CHARGE TO THE PROPER TAX COLLECTING
22 OFFICER TO BE ENTERED IN A SEPARATE COLUMN ON THE NEXT TAX ROLL
23 AGAINST REAL PROPERTY OWNED BY THE PERSON RESPONSIBLE FOR PAYMENT
24 OF THE FEE FOR INITIAL COLLECTION IN THE SAME MANNER AS AD
25 VALOREM PROPERTY TAXES UNDER THE GENERAL PROPERTY TAX ACT, 1893
26 PA 206, MCL 211.1 TO 211.157, AND PROVIDE THAT AMOUNTS ENTERED ON
27 THE TAX ROLL BECOME A LIEN AGAINST REAL PROPERTY OWNED BY THE

1 PERSON RESPONSIBLE FOR PAYMENT OF THE FEE. A DELINQUENT FEE
2 SHALL NOT BE ENTERED ON THE TAX ROLL AGAINST, AND A LIEN SHALL
3 NOT BE IMPOSED ON, PROPERTY OWNED BY A PERSON WHO IS NOT RESPON-
4 SIBLE FOR PAYMENT OF THE FEE FOR SERVICE. AN OWNER OF PROPERTY
5 TO WHICH FIRE SERVICE IS DISPATCHED IS THE PERSON RESPONSIBLE FOR
6 PAYMENT OF THE FEE FOR FIRE SERVICE. AN OWNER OF PROPERTY TO
7 WHICH EMERGENCY POLICE OR EMERGENCY AMBULANCE AND INHALATOR SERV-
8 ICE IS DISPATCHED IS THE PERSON RESPONSIBLE FOR PAYMENT OF THE
9 FEE FOR THAT SERVICE ONLY IF 1 OR MORE OF THE FOLLOWING CONDI-
10 TIONS ARE SATISFIED:

11 (A) THE OWNER, OR THE OWNER'S REPRESENTATIVE, REQUESTS THE
12 EMERGENCY POLICE OR EMERGENCY AMBULANCE AND INHALATOR SERVICE.

13 (B) THE OWNER OCCUPIES THE PROPERTY TO WHICH THE EMERGENCY
14 POLICE OR EMERGENCY AMBULANCE AND INHALATOR SERVICE WAS
15 DISPATCHED.

16 (4) IF A RATE OR CHARGE ENTERED ON THE TAX ROLL PURSUANT TO
17 SUBSECTION (3) IS NOT PAID BEFORE FEBRUARY 15, THE RATE OR CHARGE
18 SHALL BE RETURNED AS DELINQUENT TO THE COUNTY TREASURER AND COL-
19 LECTED IN THE SAME MANNER AS PROVIDED FOR DELINQUENT TAXES UNDER
20 THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.1 TO 211.157.
21 HOWEVER, PROPERTY IS NOT SUBJECT TO SALE UNDER SECTION 60 OF THE
22 GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.60, FOR NONPAYMENT
23 OF THE RATE OR CHARGE UNLESS THE PROPERTY IS ALSO SUBJECT TO SALE
24 FOR DELINQUENT PROPERTY TAXES.

25 (5) SUBSECTIONS (3) AND (4) DO NOT LIMIT THE AUTHORITY OF
26 THE MUNICIPALITY OR COUNTY TO COLLECT A FEE BY ANY OTHER MEANS
27 AUTHORIZED BY LAW FOR THE COLLECTION OF A DEBT.