

HOUSE BILL No. 4548

April 22, 1999, Introduced by Reps. Richardville, Faunce, Howell, DeRossett, Toy, Woronchak, Kowall, Quarles, Gosselin, Kuipers, Voorhees, Hager, Gilbert, Sanborn, Byl, Cassis, Van Woerkom, Julian, Rocca and Bovin and referred to the Committee on Tax Policy.

A bill to amend 1893 PA 206, entitled
"The general property tax act,"
by amending section 40 (MCL 211.40), as amended by 1995 PA 143.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40. (1) Notwithstanding any provisions in the charter
2 of any city or village to the contrary, all taxes become a debt
3 due to the township, city, village, or county from the owner or
4 person otherwise assessed on the tax day provided for in sections
5 2 and 13.
6 (2) The amounts assessed for state, county, CITY, village,
7 or township taxes on ~~any interest in~~ real property ~~shall~~
8 become a lien on ~~the~~ THAT real property on December 1, on a day
9 provided for by the charter of a city or village, or on the day
10 provided for in section 40a. The ~~lien~~ LIEN for those amounts,

1 and for all interest and charges on those amounts, shall continue
2 until paid.

3 (3) Each tax statement and receipt for taxes on real prop-
4 erty sent or given by any county, township, city, or village
5 treasurer shall contain a printed, stamped, or written statement
6 setting forth the date of the commencement and ending of the
7 fiscal year of each taxing unit of government during which gen-
8 eral taxes included on the tax statement or receipt will defray
9 the costs of governmental services rendered by that local govern-
10 mental unit. FOR PURPOSES OF PRORATING TAXES IN A REAL ESTATE
11 TRANSACTION BETWEEN PRIVATE PARTIES ONLY, TAXES LEVIED BY THIS
12 STATE OR BY A CITY, COUNTY, VILLAGE, TOWNSHIP, OR OTHER TAXING
13 UNIT SHALL BE CONSIDERED TO BE FOR THE CALENDAR YEAR IN WHICH THE
14 TAXES ARE LEVIED, REGARDLESS OF WHEN THE TAXES ARE COLLECTED.

15 (4) All ~~personal~~ taxes levied or assessed ON PERSONAL
16 PROPERTY for state, county, CITY, village, or township taxes are
17 also a first lien, prior, superior, and paramount, on all per-
18 sonal property of the persons assessed on December 1, on a day
19 provided for by the charter of a city or village, or on the day
20 provided for in section 40a. The lien for those amounts, and for
21 all interest and charges on those amounts, shall continue until
22 paid. ~~The tax liens take~~ A TAX LIEN ON PERSONAL PROPERTY TAKES
23 precedence over all other claims, encumbrances, and liens on that
24 personal property, whether created by chattel mortgage, title
25 retaining contract, execution, any final process of a court,
26 attachment, replevin, judgment, or otherwise. A transfer of
27 personal property assessed for taxes does not divest or destroy

1 the lien, ~~except where~~ UNLESS the personal property is actually
2 sold in the regular course of retail trade. ~~The personal prop-~~
3 ~~erty taxes~~ TAXES levied or assessed ON PERSONAL PROPERTY by any
4 city or village are a first lien, prior, superior, and paramount
5 to any other claims, liens, or encumbrances of any kind upon the
6 personal property assessed as provided in this act, any provi-
7 sions in the charter of cities or villages to the contrary
8 notwithstanding.