

HOUSE BILL No. 4573

April 27, 1999, Introduced by Reps. Gilbert, Kowall and Birkholz and referred to the Committee on Tax Policy.

A bill to amend 1923 PA 116, entitled
"Township and village public improvement and public service act,"
by amending section 3 (MCL 41.413), as amended by 1989 PA 82.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) Before commencing an improvement or service
2 authorized by section 1, the township board shall obtain from
3 competent sources maps, plans, and estimates of the proposed
4 improvement or service, shall determine by resolution the cost of
5 the proposed improvement or service, and shall provide for the
6 making of a special assessment upon each parcel of land in the
7 special assessment district by benefits and for the issuing and
8 sale of special assessment bonds in anticipation of the collec-
9 tion of the special assessment taxes. The special assessment
10 bonds shall not be issued before the final confirmation of the
11 assessment roll by the township board. A proceeding relating to

1 the making, levying, and collection of a special assessment
2 authorized by this section and to issuing bonds in anticipation
3 of the collection of the special assessment shall conform, as
4 near as may be, to a proceeding for levying a special assessment
5 and issuing special assessment bonds by a village for a similar
6 improvement or service, as set forth in ~~Act No. 3 of the Public~~
7 ~~Acts of 1895, as amended, being sections 61.1 to 74.22 of the~~
8 ~~Michigan Compiled Laws~~ THE GENERAL LAW VILLAGE ACT, 1895 PA 3,
9 MCL 61.1 TO 74.25.

10 (2) AS PROVIDED IN SECTION 71 OF THE GENERAL PROPERTY TAX
11 ACT, 1893 PA 206, MCL 211.71, PUBLIC PROPERTY OF THIS STATE IS
12 NOT EXEMPT FROM AN ASSESSMENT UNDER THIS ACT FOR 1 OR MORE OF THE
13 FOLLOWING:

14 (A) PROVIDING POLICE PROTECTION OR CONTRACTING FOR POLICE
15 PROTECTION.

16 (B) PURCHASING FIRE APPARATUS AND EQUIPMENT.

17 (C) CONSTRUCTING AND MAINTAINING HOUSING FACILITIES FOR FIRE
18 APPARATUS AND EQUIPMENT.

19 (3) If the special assessment fund is insufficient to pay
20 the bonds and interest on the bonds when due and the bonds were
21 issued subsequent to April 21, 1927, the township board may
22 advance the amount necessary to pay the bonds and shall be reim-
23 bursed from the assessments when collected or by reassessment of
24 the deficiency if necessary. However, as to bonds issued subse-
25 quent to July 1, 1951, the township board may, at the time of
26 issuance, pledge the full faith and credit of the township for
27 the payment of the bonds, and if the special assessment fund is

1 insufficient to pay the bonds and interest on the bonds when due,
2 the township board shall advance the amount necessary to pay the
3 bonds and shall be reimbursed from the assessments when collected
4 or by reassessment of the deficiency against the special assess-
5 ment district, if necessary.

6 Enacting section 1. This amendatory act does not take
7 effect unless all of the following bills of the 90th Legislature
8 are enacted into law:

9 (a) Senate Bill No. _____ or House Bill No. _____ (request
10 no. 02131'99).

11 (b) Senate Bill No. _____ or House Bill No. _____ (request
12 no. 02131'99 a).

13 (c) Senate Bill No. _____ or House Bill No. _____ (request
14 no. 02131'99 c).