

# HOUSE BILL No. 5668

February 14, 2002, Introduced by Rep. Patterson and referred to the Committee on House Oversight and Operations.

A bill to amend 1931 PA 246, entitled

"An act to provide for the construction, repair, and maintenance of pavements, sidewalks, and elevated structures on or along public roads and highways; to provide for the levying of taxes and of special assessments; to authorize the borrowing of money and the issuance of bonds; to prescribe the powers and duties of certain state and local agencies and officers; to validate actions taken, special assessments levied, and bonds issued; and to provide for the lighting of certain roads, highways, and bridges,"

by amending section 10 (MCL 41.280).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 10. The commissioners shall apportion the percentage  
2 of the total cost of ~~such~~ THE improvement which the township at  
3 large shall be taxed to pay by reason of the benefit to the  
4 public convenience and welfare, which shall not exceed ~~25 per~~  
5 ~~cent~~ 25% of the total cost of ~~said~~ THE improvement, and may  
6 apportion a percentage of the total cost of ~~such~~ THE  
7 improvement, to be borne by the board of county road

**HB5668, As Passed House, March 5, 2002**

2

1 commissioners from the county road fund, and shall also apportion  
2 the percentage of the benefits to accrue to any piece or parcel  
3 of land by reason of the construction of ~~such~~ THAT improvement  
4 over and above the sum of the ~~per cent~~ PERCENT assessed against  
5 the township at large and the percentage, if any, apportioned to  
6 the board of county road commissioners to be paid from the county  
7 road fund as ~~aforsaid~~ PROVIDED IN THIS SECTION, which ~~per~~  
8 ~~cent~~ PERCENT of benefit shall be apportioned upon and assessed  
9 against the lands benefited, according to the benefits received,  
10 and which apportionment shall be announced at the time and place  
11 of hearing objections to and equalizing the apportionment of  
12 benefits. ~~Such~~ THE assessments of ~~per cent~~ PERCENT benefits  
13 shall ~~thereupon~~ be subject to review and correction and may be  
14 reviewed in the manner ~~herein~~ provided IN THIS ACT. All  
15 appeals in this act provided for shall be from the apportionment  
16 of the ~~per cent~~ PERCENT of benefits. Any state lands, except  
17 state tax homestead or state swamp lands under the control of the  
18 ~~conservation~~ department OF NATURAL RESOURCES, benefited by any  
19 such improvement, shall be liable to assessment in the same  
20 manner as are privately owned lands. The amount of any assess-  
21 ment on state land shall be certified by the board of county road  
22 commissioners, ~~to the auditor general, who shall thereupon draw~~  
23 ~~his warrant on~~ AND SHALL BE PAID BY the state treasurer. ~~for~~  
24 ~~the amount due.~~ Payment ~~thereof~~ shall be made out of any funds  
25 in the state treasury appropriated ~~therefor~~ FOR THAT PURPOSE.  
26 ~~The auditor general shall incorporate in the state tax for the~~  
27 ~~year 1932 and for each year thereafter a sufficient sum as~~

**HB5668, As Passed House, March 5, 2002**

3

1 ~~estimated by him to reimburse the general fund for all sums paid~~  
2 ~~by the state on account of such assessment.~~ In any case where  
3 ~~such~~ AN assessment is imposed by the board of county road com-  
4 missioners UNDER THIS ACT the state shall have the same right of  
5 appeal as is ~~herein~~ given to owners of other lands. The BOARD  
6 OF county road commissioners shall designate each assessment dis-  
7 trict by number, by which number it shall thereafter be known.  
8 Whenever any state land ~~shall be~~ IS assessed for benefits, the  
9 board of county road commissioners shall give 10 days' notice to  
10 the ~~auditor general~~ STATE TREASURER of the time and place of  
11 the hearing of objections on account of ~~such~~ THE assessment.