

HOUSE BILL No. 5786

April 21, 2004, Introduced by Rep. Minore and referred to the Committee on Appropriations.

A bill to amend 1893 PA 206, entitled
"The general property tax act,"
by amending section 44a (MCL 211.44a), as added by 1993 PA 313.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 44a. (1) Notwithstanding any other statutory or
2 charter provision to the contrary, a county ~~in which 1 or more~~
3 ~~local units of government levies a summer property tax may by~~
4 ~~resolution of its governing body determine to~~ **shall** impose ~~in~~
5 ~~1995 one quarter of, in 1996 one half of and for collections~~
6 ~~after 1996 all or one half of its property tax levy~~ **the number**
7 **of mills allocated to the county by a county tax allocation board**
8 **or authorized for the county through a separate tax limitation**
9 **vote** as a summer property tax levy in ~~those local units of~~
10 ~~government where a summer tax is being collected by the local tax~~
11 ~~collecting treasurer. The resolution by its terms may be~~

1 ~~applicable until revoked by the governing body of the county.~~
 2 2004 and each year after 2004. The treasurer that collects the
 3 state education tax shall collect the summer property tax levy
 4 under this section.

5 (2) ~~Upon adoption of a resolution authorized by subsection~~
 6 ~~(1), the county shall notify by April 15 of each year each~~
 7 ~~applicable local tax collecting unit of its determination to~~
 8 ~~impose a summer property tax levy in that year.~~ Before June 30
 9 and in conformance with the procedures prescribed by this act,
 10 the taxes being collected **as a summer property tax levy** shall be
 11 spread in terms of millages on the assessment roll, the amount of
 12 tax levied shall be assessed in proportion to the ~~state~~
 13 ~~equalized valuation~~ **taxable value**, and a tax roll shall be
 14 prepared ~~which~~ **that** commands the appropriate treasurer to
 15 collect on July 1 the taxes indicated as due on the tax roll.

16 (3) Taxes authorized to be collected shall become a lien
 17 against the property on which assessed, and due from the owner of
 18 that property on July 1.

19 (4) ~~Taxes shall be collected on or before September 14 and~~
 20 ~~all~~ **All** taxes and interest imposed pursuant to this section **that**
 21 **are** unpaid before March 1 shall be returned as delinquent on
 22 March 1 and collected pursuant to this act.

23 (5) Interest shall be added to taxes collected after
 24 September 14 at that rate imposed by section ~~59~~ **78a** on
 25 delinquent property tax levies ~~which~~ **that** became a lien in the
 26 same year. **However, the tax levied under this act that is**
 27 **collected by a city shall become a lien against the property on**

1 which assessed in the same manner and on the same date as city
2 taxes or, if the city approves the collection of the tax levied
3 under this act on a date other than the date it collects the city
4 taxes, on July 1. Except as otherwise provided in section 89a,
5 the tax levied under this act that is collected with the city
6 taxes shall be subject to the same penalties, interest, and
7 collection charges as city taxes and, except as otherwise
8 provided in subsection (4), shall be returned as delinquent to
9 the county treasurer in the same manner and with the same
10 interest, penalties, and fees as city taxes.

11 (6) All or a portion of the fees or charges, or both,
12 authorized under section 44 may be imposed on taxes paid before
13 March 1 and shall be retained by the treasurer actually
14 performing the collection of the summer property tax levy
15 pursuant to this section, regardless of whether all or part of
16 these fees or charges, or both, have been waived by the township
17 or city.

18 (7) Collections shall be remitted to the county for which the
19 taxes were collected pursuant to section 43.

20 (8) To the extent applicable and consistent with the
21 requirements of this section, this act shall apply to proceedings
22 in relation to the assessment, spreading, and collection of taxes
23 pursuant to this section.

24 ~~(9) This section is effective for property tax collections~~
25 ~~in 1995 and after 1995 if the sales tax is levied at a rate of 4%~~
26 ~~under the general sales tax act, Act No. 167 of the Public Acts~~
27 ~~of 1933, being sections 205.51 to 205.78 of the Michigan Compiled~~

1 ~~Laws.~~

2 (9) Revenue from the 2004 levy under subsection (1) shall be
3 placed in a restricted reserve fund in each county and shall not
4 be withdrawn or expended except as provided in this section.

5 Interest and investment earnings shall be credited to the
6 restricted reserve fund. The amount in the restricted reserve
7 fund shall be separately reported in the annual financial report
8 required under this act.

9 (10) For a county fiscal year that ends on December 31, 2004,
10 a county may withdraw and expend in that fiscal year an amount
11 not to exceed the payments made to that county under the Glenn
12 Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.901
13 to 141.921, in August, October, and December 2003 and, if the
14 payment is accrued back to the county's 2003 fiscal year,
15 February 2004.

16 (11) For a county fiscal year that ends on September 30,
17 2004, a county may withdraw and expend in that fiscal year an
18 amount not to exceed the payment made to that county under the
19 Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL
20 141.901 to 141.921, in August 2003 and, if the payment is accrued
21 back to the county's 2003 fiscal year, October 2003.

22 (12) For county fiscal years that begin after September 30,
23 2004, a county may withdraw and expend an amount in that fiscal
24 year not to exceed 110% of the total payments made to that county
25 under the Glenn Steil state revenue sharing act of 1971, 1971 PA
26 140, MCL 141.901 to 141.921, in the state fiscal year ending
27 September 30, 2004, adjusted annually for each fiscal year

1 beginning after September 30, 2004 by the inflation rate. As
2 used in this subsection, "inflation rate" means that term as
3 defined in section 34d.