

SENATE BILL No. 910

January 14, 2004, Introduced by Senators McMANUS and PRUSI and referred to the Committee on Finance.

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 154 (MCL 211.154), as amended by 2000 PA 281.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SENATE BILL No. 910

1 Sec. 154. (1) If the state tax commission determines that
 2 property ~~liable to taxation~~ **subject to the collection of taxes**
 3 **under this act**, including property subject to taxation under 1974
 4 PA 198, MCL 207.551 to 207.572, 1905 PA 282, MCL 207.1 to 207.21,
 5 1953 PA 189, MCL 211.181 to 211.182, and the commercial
 6 redevelopment act, 1978 PA 255, MCL 207.651 to 207.668, has been
 7 incorrectly reported or omitted for any previous year, but not to
 8 exceed the current assessment year and 2 years immediately
 9 preceding the date ~~of discovery and disclosure~~ **the incorrect**
 10 **reporting or omission was discovered and disclosed** to the state

1 tax commission, ~~of the incorrect reporting or omission,~~ the
2 state tax commission shall place the corrected assessment value
3 for the appropriate years on the appropriate assessment roll.
4 **Incorrectly reported or omitted property includes an assessment**
5 **based on incorrect reporting instructions provided by the state**
6 **tax commission or the local assessing jurisdiction.** The state tax
7 commission shall issue an order certifying to the treasurer of
8 the local tax collecting unit if the local tax collecting unit
9 has possession of a tax roll for a year for which an assessment
10 change is made or the county treasurer if the county has
11 possession of a tax roll for a year for which an assessment
12 change is made the amount of taxes due as computed by the correct
13 annual rate of taxation for each year except the current year.
14 Taxes computed under this section shall not be spread against the
15 property for a period before the last change of ownership of the
16 property.

17 (2) If an assessment change made under this section results
18 in increased property taxes, the additional taxes shall be
19 collected by the treasurer of the local tax collecting unit if
20 the local tax collecting unit has possession of a tax roll for a
21 year for which an assessment change is made or by the county
22 treasurer if the county has possession of a tax roll for a year
23 for which an assessment change is made. Not later than 20 days
24 after receiving the order certifying the amount of taxes due
25 under subsection (1), the treasurer of the local tax collecting
26 unit if the local tax collecting unit has possession of a tax
27 roll for a year for which an assessment change is made or the

1 county treasurer if the county has possession of a tax roll for a
2 year for which an assessment change is made shall submit a
3 corrected tax bill, itemized by taxing jurisdiction, to each
4 person identified in the order and to the owner of the property
5 on which the additional taxes are assessed, if different than a
6 person named in the order, by first-class mail, address
7 correction requested. Except for real property subject to
8 taxation under 1974 PA 198, MCL 207.551 to ~~207.562~~ **207.572**,
9 1905 PA 282, MCL 207.1 to 207.21, 1953 PA 189, MCL 211.181 to
10 211.182, and the commercial redevelopment act, 1978 PA 255, MCL
11 207.651 to 207.668, and for real property only, if the additional
12 taxes remain unpaid on the March 1 in the year immediately
13 succeeding the year in which the state tax commission issued the
14 order certifying the additional taxes under subsection (1), the
15 real property on which the additional taxes are due shall be
16 returned as delinquent to the county treasurer. Real property
17 returned for delinquent taxes under this section, and upon which
18 taxes, interest, penalties, and fees remain unpaid after the
19 property is returned as delinquent to the county treasurer, is
20 subject to forfeiture, foreclosure, and sale for the enforcement
21 and collection of the delinquent taxes as provided in sections 78
22 to 79a.

23 (3) If an assessment change made under this section results
24 in a decreased tax liability, a refund of excess tax payments
25 shall be made by the county treasurer and shall include interest
26 at the rate of 1% per month or fraction of a month for taxes
27 levied before January 1, 1997 and interest at the rate provided

1 under section 37 of the tax tribunal act, 1973 PA 186, MCL
2 205.737, for taxes levied after December 31, 1996, from the date
3 of the payment of the tax to the date of the payment of the
4 refund. The county treasurer shall charge a refund of excess tax
5 payments under this subsection to the various taxing
6 jurisdictions in the same proportion as the taxes levied.

7 (4) A person to whom property is assessed under this section
8 may appeal the state tax commission's order to the Michigan tax
9 tribunal.