

# SENATE BILL No. 1433

June 27, 2008, Introduced by Senator GEORGE and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1893 PA 206, entitled  
"The general property tax act,"  
(MCL 211.1 to 211.155) by adding sections 89d and 89e.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 89D. (1) NOTWITHSTANDING THE PROVISIONS OF THE CHARTER OF  
2        A HOME RULE CITY TO THE CONTRARY, THE CITY TREASURER OF AN ELIGIBLE  
3        CITY SHALL RETURN TO THE COUNTY TREASURER ALL UNCOLLECTED  
4        DELINQUENT TAXES LEVIED ON REAL PROPERTY AFTER DECEMBER 31, 2008 ON  
5        THE MARCH 1 IMMEDIATELY FOLLOWING THE YEAR IN WHICH THE TAXES ARE  
6        LEVIED.

7        (2) THE CITY TREASURER OF AN ELIGIBLE CITY MAY RETURN ALL  
8        UNCOLLECTED DELINQUENT TAXES LEVIED ON REAL PROPERTY PRIOR TO  
9        DECEMBER 31, 2008 TO THE COUNTY TREASURER FOR COLLECTION ON MARCH

1 1, 2010. A CITY TREASURER SHALL PROVIDE WRITTEN NOTICE TO THE  
2 COUNTY TREASURER OF HIS OR HER INTENT TO RETURN UNCOLLECTED  
3 DELINQUENT TAXES LEVIED PRIOR TO DECEMBER 31, 2008 UNDER THIS  
4 SUBSECTION NOT LATER THAN FEBRUARY 1, 2010. IF UNCOLLECTED  
5 DELINQUENT TAXES LEVIED PRIOR TO DECEMBER 31, 2008 ARE RETURNED TO  
6 THE COUNTY TREASURER FOR COLLECTION UNDER THIS SUBSECTION, THE  
7 COUNTY TREASURER SHALL COLLECT THOSE TAXES WITH TAXES RETURNED AS  
8 DELINQUENT IN 2010.

9 (3) AFTER THE UNCOLLECTED DELINQUENT TAXES LEVIED ON REAL  
10 PROPERTY ARE RETURNED TO THE COUNTY TREASURER FOR COLLECTION UNDER  
11 THIS SECTION, THE PROVISIONS OF THIS ACT APPLY FOR COLLECTION OF  
12 THOSE TAXES AND FOR THE ISSUANCE OF NOTES IN ANTICIPATION OF THE  
13 COLLECTION OF THOSE TAXES.

14 (4) A JUDGMENT ENTERED UNDER SECTION 78K THAT EXTINGUISHES ANY  
15 LIEN FOR UNPAID TAXES OR SPECIAL ASSESSMENTS DOES NOT EXTINGUISH  
16 THE RIGHT OF THE CITY TO BRING AN IN PERSONAM ACTION UNDER THIS ACT  
17 OR ITS CHARTER TO ENFORCE PERSONAL LIABILITY FOR THOSE UNPAID TAXES  
18 OR SPECIAL ASSESSMENTS. THE CITY MAY BRING AN IN PERSONAM ACTION TO  
19 ENFORCE PERSONAL LIABILITY FOR UNPAID DELINQUENT TAXES LEVIED PRIOR  
20 TO JANUARY 1, 2009 OR SPECIAL ASSESSMENTS NOT RETURNED AS  
21 DELINQUENT UNDER THIS SECTION WITHIN 15 YEARS AFTER THE TAXES OR  
22 SPECIAL ASSESSMENTS ARE LEVIED.

23 (5) AS USED IN THIS SECTION:

24 (A) "DELINQUENT TAXES" OR "UNCOLLECTED DELINQUENT TAXES"  
25 INCLUDES ANY TAXES LEVIED BY AND PAYABLE TO THE CITY TREASURER IN  
26 INSTALLMENTS THE BALANCE OF WHICH REMAINS UNPAID ON JANUARY 1  
27 IMMEDIATELY FOLLOWING THE YEAR IN WHICH THE TAXES ARE LEVIED, AND

1 INCLUDES ALL INTEREST AND PENALTIES THAT ACCRUE AFTER JULY 31 OF  
2 THE YEAR IN WHICH ALL TAXES BILLED BY THE CITY ARE LEVIED IF THAT  
3 INTEREST AND THOSE PENALTIES REMAIN UNPAID ON THE DATE THE  
4 DELINQUENT TAXES ARE RETURNED TO THE COUNTY TREASURER.

5 (B) "ELIGIBLE CITY" MEANS A CITY WITH A POPULATION OF MORE  
6 THAN 50,000 AND LESS THAN 100,000 THAT IS LOCATED IN A COUNTY WITH  
7 A POPULATION OF LESS THAN 350,000 AS DETERMINED BY THE MOST RECENT  
8 FEDERAL DECENNIAL CENSUS.

9 SEC. 89E. (1) NOTWITHSTANDING THE PROVISIONS OF THE CHARTER OF  
10 A HOME RULE CITY TO THE CONTRARY, AND WITH THE AGREEMENT OF THE  
11 COUNTY TREASURER, THE CITY TREASURER OF AN ELIGIBLE CITY MAY RETURN  
12 TO THE COUNTY TREASURER ALL UNCOLLECTED DELINQUENT TAXES LEVIED ON  
13 PERSONAL PROPERTY AFTER DECEMBER 31, 2008 ON THE MARCH 1  
14 IMMEDIATELY FOLLOWING THE YEAR IN WHICH THE TAXES ARE LEVIED.

15 (2) WITH THE AGREEMENT OF THE COUNTY TREASURER, THE CITY  
16 TREASURER OF AN ELIGIBLE CITY MAY RETURN ALL UNCOLLECTED DELINQUENT  
17 TAXES LEVIED ON PERSONAL PROPERTY PRIOR TO DECEMBER 31, 2008 TO THE  
18 COUNTY TREASURER FOR COLLECTION ON MARCH 1 OF THE YEAR IN WHICH THE  
19 COUNTY TREASURER AGREES TO THE RETURN OF UNCOLLECTED DELINQUENT  
20 TAXES UNDER THIS SUBSECTION. A CITY TREASURER SHALL PROVIDE TO THE  
21 COUNTY TREASURER WRITTEN NOTICE OF HIS OR HER INTENT TO RETURN  
22 UNCOLLECTED DELINQUENT TAXES LEVIED PRIOR TO DECEMBER 31, 2008  
23 UNDER THIS SUBSECTION NOT LATER THAN FEBRUARY 1 OF THE YEAR IN  
24 WHICH THE COUNTY TREASURER AGREES TO THE RETURN OF UNCOLLECTED  
25 DELINQUENT TAXES UNDER THIS SUBSECTION. IF THOSE UNCOLLECTED  
26 DELINQUENT TAXES ARE RETURNED TO THE COUNTY TREASURER FOR  
27 COLLECTION UNDER THIS SUBSECTION, THE COUNTY TREASURER SHALL

1 COLLECT THOSE TAXES WITH TAXES RETURNED AS DELINQUENT IN THAT SAME  
2 YEAR.

3 (3) AFTER THE UNCOLLECTED DELINQUENT TAXES LEVIED ON PERSONAL  
4 PROPERTY ARE RETURNED TO THE COUNTY TREASURER FOR COLLECTION UNDER  
5 THIS SECTION, THE PROVISIONS OF THIS ACT APPLY FOR COLLECTION OF  
6 THOSE TAXES.

7 (4) AS USED IN THIS SECTION:

8 (A) "DELINQUENT TAXES" OR "UNCOLLECTED DELINQUENT TAXES"  
9 INCLUDES ANY TAXES LEVIED BY AND PAYABLE TO THE CITY TREASURER IN  
10 INSTALLMENTS THE BALANCE OF WHICH REMAINS UNPAID ON JANUARY 1  
11 IMMEDIATELY FOLLOWING THE YEAR IN WHICH THE TAXES ARE LEVIED, AND  
12 INCLUDES ALL INTEREST AND PENALTIES THAT ACCRUE AFTER JULY 31 OF  
13 THE YEAR IN WHICH ALL TAXES BILLED BY THE CITY ARE LEVIED IF THAT  
14 INTEREST AND THOSE PENALTIES REMAIN UNPAID ON THE DATE THE  
15 DELINQUENT TAXES ARE RETURNED TO THE COUNTY TREASURER.

16 (B) "ELIGIBLE CITY" MEANS A CITY WITH A POPULATION OF MORE  
17 THAN 50,000 AND LESS THAN 100,000 THAT IS LOCATED IN A COUNTY WITH  
18 A POPULATION OF LESS THAN 350,000.