

HOUSE BILL No. 5971

March 18, 2010, Introduced by Reps. Pavlov, DeShazor, Elsenheimer, Kowall, Stamas, Walsh, Marleau, Horn, Rick Jones and Crawford 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 2 (MCL 41.412), as amended by 1989 PA 82.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) ~~Upon~~ **SUBJECT TO THE PROVISIONS OF SUBSECTION (2),**
2 **UPON** the filing of petitions verified both as to signature and
3 ownership, signed by record owners of land to be made into a
4 special assessment district in which an improvement or service
5 specified in section 1 is desired by the owners of the land, the
6 township board may construct and maintain the improvement or
7 provide the service, determine the cost of the improvement or
8 service, and create, define, and establish a special assessment
9 district within all or within and comprising not less than 80% of

1 the area. The cost of the improvement or service shall be levied
2 upon the district. However, the record owners of not less than 51%
3 of the land actually created into the special assessment district
4 by the township board must have signed the petitions. A district
5 established and assessed may be enlarged through a petition,
6 circulated and signed as required for an original district, but
7 covering only the area to be added to create the enlarged district.
8 Benefits of an improvement or service may be extended to the added
9 part, and the entire enlarged district may, **SUBJECT TO THE**
10 **PROVISIONS OF SUBSECTION (2)**, be assessed for the improvement or
11 service, as provided for an original district. If a service has
12 been instituted and no assessment bonds for the service are
13 outstanding, the service may be discontinued upon petition by
14 owners of 51% of the lands.

15 (2) AFTER DECEMBER 31, 2009, IF A SPECIAL ASSESSMENT DISTRICT
16 ON LAND BENEFITED BY THE IMPROVEMENT OR SERVICE INCLUDES THE ENTIRE
17 TOWNSHIP, THE QUESTION OF RAISING MONEY BY SPECIAL ASSESSMENT AND
18 THE AMOUNT OF THE SPECIAL ASSESSMENT TO BE LEVIED SHALL BE APPROVED
19 BY A MAJORITY OF ELECTORS OF THE TOWNSHIP AT A GENERAL ELECTION OR
20 SPECIAL ELECTION CALLED FOR THAT PURPOSE.