

# HOUSE BILL No. 5047

October 6, 2011, Introduced by Reps. Haugh, Forlini, Shirkey, Shaughnessy, LaFontaine, Ouimet, Foster, Bumstead, McBroom, Rogers, Stanley, Geiss, Lane, Smiley, Roy Schmidt and Switalski and referred to the Committee on Local, Intergovernmental, and Regional Affairs.

A bill to amend 1893 PA 206, entitled  
"The general property tax act,"  
by amending section 42a (MCL 211.42a), as amended by 2002 PA 505.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 42a. (1) Subject to this section, a local tax collecting  
2       unit may use a computerized data base system as the tax roll if any  
3       of the following apply:

4       (a) The local unit obtains written authorization from the  
5       state tax commission.

6       (b) The treasurer of the county in which the local tax  
7       collecting unit is located obtains written authorization from the  
8       state tax commission for the use by the county treasurer or local  
9       tax collecting units within the county of an approved computerized

1 data base system as the tax roll. This subdivision shall not be  
2 construed to prohibit a local tax collecting unit from seeking  
3 authorization from the state tax commission to use a computerized  
4 data base system developed by the local tax collecting unit.

5 (c) The state tax commission fails to authorize or deny within  
6 120 days a written request from a county treasurer or a local tax  
7 collecting unit under this subsection to use a computerized data  
8 base system as the tax roll.

9 (2) The state tax commission shall authorize the use of a  
10 computerized data base system as the tax roll if the local tax  
11 collecting unit or the county treasurer demonstrates that the  
12 proposed system has the capacity to enable a local unit to comply  
13 and the local unit complies with all of the following requirements:

14 (a) An original precollection tax roll shall be printed from  
15 the computerized data base and warranted by the assessor. That  
16 printed precollection tax roll shall be maintained by the assessor  
17 until the expiration of the redemption period provided in section  
18 78k following the entry of a judgment foreclosing property  
19 forfeited for delinquent taxes under section 78g, or the resolution  
20 of all pending appeals, whichever is later.

21 (b) A separate computer printout of all parcel splits and  
22 combinations, including sufficient information to document the  
23 accuracy of the splits or combinations, shall be prepared and  
24 maintained by the assessor until the expiration of the redemption  
25 period provided in section 78k following the entry of a judgment  
26 foreclosing property forfeited for delinquent taxes under section  
27 78g, or the resolution of all pending appeals, whichever is later.

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1 (c) A separate computer printout of all corrections and  
2 adjustments to the precollection tax roll authorized by action of  
3 the board of review, state tax commission, or tax tribunal,  
4 including sufficient information to document the accuracy of all  
5 corrections and adjustments, shall be prepared and maintained by  
6 the assessor until the expiration of the redemption period provided  
7 in section 78k following the entry of a judgment foreclosing  
8 property forfeited for delinquent taxes under section 78g, or the  
9 resolution of all pending appeals, whichever is later.

10 (d) The local tax collecting treasurer and the assessor shall  
11 produce a final ~~computer printed~~ settlement tax roll to certify  
12 taxes collected to the county treasurer under section 55. The  
13 assessor shall certify that taxable values, state equalized  
14 valuations, adjusted valuations, and the spread of taxes and  
15 adjusted taxes are correctly recorded in the settlement tax roll.  
16 The local tax collecting treasurer shall certify delinquent taxes  
17 and certify that all tax collections are posted on the settlement  
18 tax roll. Those certifications and the settlement tax roll shall be  
19 transmitted to the county treasurer. **THE SETTLEMENT TAX ROLL**  
20 **TRANSMITTED TO THE COUNTY TREASURER MAY BE IN EITHER A COMPUTER**  
21 **PRINTED FORMAT OR A DISK, EXTERNAL DRIVE, OR OTHER ELECTRONIC DATA**  
22 **PROCESSING FORMAT [COMPATIBLE WITH THE COMPUTER SYSTEM USED BY THE COUNTY**  
23 **TREASURER].** The affidavit attached to **OR INCLUDED WITH** the  
24 settlement tax roll shall include documentation that authorizes and  
25 reports all changes in the precollection tax roll.

26 (e) The treasurer of the local tax collecting unit shall  
27 prepare and maintain a journal of the collections totaled and  
reconciled to the amount of actual collections daily.

1 (f) A payment of the tax shall be posted to the computerized  
2 data base system using a transaction or receipt number with the  
3 date of payment. A posting on the computerized data base system is  
4 considered the entry of the fact and date of payment in an  
5 indelible manner on the tax roll as required by section 46(2).

6 (g) The computerized data base system has internal and  
7 external security procedures sufficient to assure the integrity of  
8 the system.

9 (h) The local tax collecting unit is capable of making  
10 available a posted computer printed tax roll.

11 (i) The computerized data base system is compatible with the  
12 system used by the county treasurer for the collection of  
13 delinquent taxes.

14 (3) Not later than May 1 of the third year following the year  
15 in which a local tax collecting unit begins using a computerized  
16 data base system as the tax roll after approval under subsection  
17 (1) and every 3 years thereafter, the local tax collecting unit  
18 shall certify to the state tax commission that the requirements of  
19 this section are being met.

20 (4) A county treasurer or local tax collecting unit that  
21 provides a computer terminal for public viewing of the tax roll is  
22 considered having the tax roll available for public inspection.

23 (5) If at any time the state treasurer or the state tax  
24 commission believes that a local tax collecting unit is no longer  
25 in compliance with subsection (2), the state treasurer or the state  
26 tax commission shall provide written notice to that local tax  
27 collecting unit. The notice shall specify the reasons that use of

1 the computerized data base system as the original tax roll is no  
2 longer in compliance with subsection (2). The local tax collecting  
3 unit has not less than 60 days to provide evidence that the local  
4 tax collecting unit is in compliance with subsection (2) or that  
5 action to correct noncompliance has been implemented. If, after the  
6 expiration of 60 days, the state tax commission or the state  
7 treasurer believes that the local tax collecting unit is not taking  
8 satisfactory steps to correct a condition of noncompliance, the  
9 state tax commission upon its own motion may, and upon the request  
10 of the state treasurer shall, withdraw approval of the use of the  
11 computerized data base system as the original tax roll. Proceedings  
12 of the state tax commission under this subsection shall be in  
13 accordance with rules for other proceedings of the commission  
14 promulgated under the administrative procedures act of 1969, 1969  
15 PA 306, MCL 24.201 to 24.328, and shall not be considered a  
16 contested case.