

SENATE BILL No. 1021

March 15, 2012, Introduced by Senator CASPERSON and referred to the Committee on Natural Resources, Environment and Great Lakes.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 2150 and 2153 (MCL 324.2150 and 324.2153),
section 2150 as amended by 1996 PA 585 and section 2153 as amended
by 2004 PA 513.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2150. (1) ~~On~~ **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION**
2 (2), **ON** December 1 of each year ~~, there shall be paid~~ **THE**
3 **DEPARTMENT OF TREASURY SHALL PAY** into the treasury of each county
4 in which are located tax reverted, recreation, ~~or forest, lands~~ **OR**
5 **OTHER LANDS** under the control and supervision of the department ~~,~~
6 ~~and any other lands held by the department, except lands purchased~~
7 ~~after January 1, 1933 for natural resource purposes, a tax of~~ **IN**
8 **THE FOLLOWING AMOUNT:**

1 (A) BEFORE DECEMBER 1, 1994, \$2.50 per acre or major portion
2 of an acre. ~~for years before December 1, 1994 and~~

3 (B) AFTER NOVEMBER 30, 1994 AND BEFORE JANUARY 1, 2012, \$2.00
4 per acre or major portion of an acre. ~~for years after November 30,~~
5 ~~1994 on all the lands that belong to this state on December 1 in~~
6 ~~each year.~~

7 (C) AFTER DECEMBER 31, 2011, \$2.00 PER ACRE OR MAJOR PORTION
8 OF AN ACRE ADJUSTED ANNUALLY BY 5% OR THE INFLATION RATE, WHICHEVER
9 IS LESS. AS USED IN THIS SUBDIVISION, "INFLATION RATE" MEANS THAT
10 TERM AS DEFINED IN SECTION 34D OF THE GENERAL PROPERTY TAX ACT,
11 1893 PA 206, MCL 211.34D.

12 (2) THE TAX LEVIED UNDER SUBSECTION (1) DOES NOT APPLY TO THE
13 FOLLOWING:

14 (A) LANDS PURCHASED AFTER JANUARY 1, 1933 FOR NATURAL RESOURCE
15 PURPOSES.

16 (B) STATE LANDS ON WHICH PAYMENTS IN LIEU OF TAXES ARE MADE
17 PURSUANT TO SUBPART 14.

18 (3) The tax ~~imposed~~ **LEVIED** under this section shall be in lieu
19 of all other taxes now levied against the state ~~land~~ **LANDS** under
20 any existing law. ~~State land on which payments in lieu of taxes are~~
21 ~~made pursuant to subpart 14 are exempt from this subpart.~~

22 (4) The department of treasury shall make a detailed statement
23 of account between ~~the~~ **THIS** state and each county in which ~~the~~
24 lands **SUBJECT TO THE TAX LEVIED UNDER THIS SECTION** are situated. ~~7~~
25 ~~including the descriptions~~ **THE STATEMENT SHALL INCLUDE A**
26 **DESCRIPTION** of the lands. ~~7 and render~~ **THE DEPARTMENT OF TREASURY**
27 **SHALL SUBMIT** the detailed statement of account to the county

1 treasurer of the county. The department of treasury shall cause a
 2 warrant to be drawn ~~on the state treasurer payable~~ **TO THE COUNTY**
 3 for the amount indicated on the detailed statement of account. ~~to~~
 4 ~~be due to the county.~~

5 (5) The county treasurer of each county shall immediately make
 6 ~~up a~~ detailed statement of ~~the~~ account between the county and each
 7 township and school district **IN THE COUNTY**, ~~prorating~~ **DISTRIBUTING**
 8 the amount received by the county **PROPORTIONALLY** according to the
 9 number of acres of the lands located in each ~~unit~~ **TOWNSHIP AND**
 10 **SCHOOL DISTRICT**. For disbursements made before December 1, 1994,
 11 the ~~proration~~ **DISTRIBUTION** shall be 40% to **THE** county general fund,
 12 40% to **THE** township general fund, and 20% to **THE** school operating
 13 fund. For disbursements made after November 30, 1994, the ~~proration~~
 14 **DISTRIBUTION** shall be 50% to the county general fund and 50% to the
 15 township general fund. The county treasurer shall immediately issue
 16 his or her warrant to each of the units according to the detailed
 17 statement of account.

18 (6) ~~(2)~~ The tax on tax reverted, recreation, forest lands, or
 19 other lands under the control of the department on which payments
 20 are made under this subpart shall be paid from the general fund.
 21 **THIS STATE SHALL MAKE PAYMENT IN FULL FOR THE AMOUNT INDICATED IN**
 22 **THE STATEMENT OF ACCOUNT PREPARED UNDER SUBSECTION (4).**

23 Sec. 2153. (1) For purposes of this subpart, the state tax
 24 commission shall determine the valuation of real property described
 25 in section 2152 before February 1 of each year. The state tax
 26 commission shall determine the valuation of real property as
 27 provided in subsection (7).

1 (2) Not later than February 15 of each year, the state tax
2 commission shall make a report to the assessing districts of this
3 state in which the real property is located, giving a description
4 of the real property in the assessing district held by the state
5 and the valuation as fixed by the state tax commission pursuant to
6 subsection (7).

7 (3) Except as otherwise provided in subsection (7), the state
8 tax commission shall furnish a valuation to the assessing officers
9 that shall be at the same value as other real property is assessed
10 in the assessment district. In fixing the valuation, the state tax
11 commission shall not include improvements made to or placed upon
12 that real property.

13 (4) Upon receipt of the valuation under subsection (3), the
14 assessing officer shall enter upon the assessment rolls of each
15 municipality or assessing district the respective descriptions of
16 the real property and the fixed valuation and, except as otherwise
17 provided in subsection (5), shall assess that real property for the
18 purposes of this subpart at the same rate as other real property in
19 the assessing district. A local taxing unit may by resolution
20 permanently exempt that real property from any tax levied by that
21 local taxing unit. As used in this subsection, "local taxing unit"
22 means a city, village, township, county, school district,
23 intermediate school district, community college, authority, or any
24 other entity authorized by law to levy a tax on real property.

25 (5) Except as limited in subsection (6) and as otherwise
26 provided in subsection (7), the assessing officer may adjust the
27 valuation determined by the state tax commission. If an adjustment

1 to the valuation certified by the state tax commission is made, the
2 assessing officer shall certify all of the following to the
3 department, not later than the first Wednesday after the first
4 Monday in March:

5 (a) The amount and percentage of any general adjustment of
6 assessed valuation of property located in the assessing district
7 other than property described in section 2152.

8 (b) The amount and percentage of any change in the assessment
9 roll.

10 (c) The relation of the total valuation to that reported by
11 the state tax commission.

12 (d) The adjusted total of conservation land.

13 (6) The following shall not be included in an adjustment under
14 subsection (5):

15 (a) Any general adjustment of assessed valuation of property
16 located in the assessing district.

17 (b) Assessments for special improvements.

18 (c) Any millage in excess of the millage rate levied in 2004.

19 (d) The tax levied under the state education tax act, 1993 PA
20 331, MCL 211.901 to 211.906.

21 (7) ~~Property~~ **BEFORE 2012, PROPERTY** valuations shall be
22 established as follows:

23 (a) For property valuations established under this subpart in
24 2004, the 2004 valuation shall be the valuation of the property in
25 2004 through 2008.

26 (b) In 2009 and each year after 2009, the valuation of
27 property shall not increase each year by more than the increase in

1 the immediately preceding year in the general price level or 5%,
2 whichever is less. As used in this subdivision, "general price
3 level" means that term as defined in section 33 of article IX of
4 the state constitution of 1963.

5 (c) If property is acquired after 2004, the initial property
6 valuation determined under this section shall be the valuation for
7 each subsequent year until the next adjustment under subdivision
8 (b) occurs.

9 (8) BEGINNING IN 2012, PROPERTY VALUATIONS SHALL BE THE
10 GREATER OF THE FOLLOWING:

11 (A) THE VALUE OF THE PROPERTY CALCULATED UNDER SUBSECTION (7).

12 (B) THE TAXABLE VALUE OF THE PROPERTY CALCULATED UNDER SECTION
13 27A OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.27A.