

HOUSE BILL No. 6034

December 2, 2014, Introduced by Rep. Franz and referred to the Committee on Local Government.

A bill to amend 1954 PA 188, entitled

"An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds,"

by amending section 4a (MCL 41.724a), as amended by 2000 PA 331.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4a. (1) If special assessments are made against property,
2 notice of hearings in the special assessment proceedings shall be
3 given as provided in this section.

4 (2) Notice of hearings in special assessment proceedings shall
5 be given to each record owner of, or party in interest in, property

1 to be assessed whose name appears upon the last township tax
2 assessment records by first-class mail addressed to the record
3 owner or party in interest at the address shown on the tax records,
4 at least 10 days before the date of the hearing. The last township
5 tax assessment records means the last assessment roll for ad
6 valorem tax purposes that was reviewed by the township board of
7 review, as supplemented by any subsequent changes in the names or
8 the addresses of the owners or parties listed on that roll. If a
9 record owner's name does not appear on the township tax assessment
10 records, then notice shall be given by first-class mail addressed
11 to the record owner at the address shown by the records of the
12 county register of deeds at least 10 days before the date of the
13 hearing. ~~Notice~~ **BEFORE JANUARY 1, 2015, NOTICE** shall also be
14 published twice before the hearing in a newspaper circulating in
15 the township. ~~The~~ **BEFORE JANUARY 1, 2015, THE** first publication
16 shall be at least 10 days before the date of the hearing. **BEGINNING**
17 **JANUARY 1, 2015, AT LEAST 10 DAYS BEFORE THE DATE OF THE HEARING,**
18 **TIER A PUBLIC NOTICE OF THE NOTICE OF HEARING SHALL ALSO BE**
19 **PROVIDED AS SET FORTH IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT.** If
20 a published **OR POSTED** notice includes a list of the property
21 identification numbers of the property to be assessed, that list
22 may provide either the individual property identification number
23 for each parcel of property to be assessed or 1 or more sequential
24 sets of property identification numbers, which include each parcel
25 of property to be assessed. If a published **OR POSTED** notice
26 includes a list of the property identification numbers of the
27 property to be assessed, that published **OR POSTED** notice shall also

1 include either a map depicting the area of the proposed special
2 assessment district or a written description of the proposed
3 special assessment district.

4 (3) If a person whose name and correct address do not appear
5 upon the last township tax assessment records claims an interest in
6 real property, that person shall immediately file his or her name
7 and address with the township supervisor. This filing is effective
8 only for the purpose of establishing a record of the names and
9 addresses of those persons entitled to notice of hearings in
10 special assessment proceedings. The supervisor shall immediately
11 enter on the tax assessment records any changes in the names and
12 addresses of record owners or parties in interest filed with the
13 supervisor and at all times shall keep the tax assessment records
14 current, complete, and available for public inspection.

15 (4) A township officer required to give notice of a hearing in
16 special assessment proceedings may rely upon the last township tax
17 assessment records in giving notice of the hearing by mail. The
18 method of giving notice by mail as provided in this section is
19 declared to be the method that is reasonably certain to inform
20 those to be assessed of the special assessment proceedings.

21 (5) Failure to give notice as required in this section shall
22 not invalidate an entire assessment roll, but only the assessment
23 on property affected by the lack of notice. A special assessment
24 shall not be declared invalid as to any property if the owner or
25 the party in interest of that property actually received notice,
26 waived notice, or paid any part of the assessment. If an assessment
27 is declared void by court decree or judgment, a reassessment

1 against the property may be made.

2 (6) A special assessment hearing held before June 5, 1974 is
3 validated, insofar as any notice of hearing is concerned, if notice
4 was given by mail to the owners or parties in interest whose names
5 appeared at the time of mailing on the last township tax assessment
6 records. Any such special assessment hearing is validated as to any
7 owner or party in interest who actually received notice of hearing,
8 waived the notice, or paid any part of the special assessment.