

SUBSTITUTE FOR
HOUSE BILL NO. 4888

A bill to amend 1893 PA 206, entitled
"The general property tax act,"
by amending section 24 (MCL 211.24), as amended by 2012 PA 409.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 24. (1) On or before the first Monday in March in each
2 year, the assessor shall make and complete an assessment roll, upon
3 which he or she shall set down all of the following:
4 (a) The name and address of every person liable to be taxed in
5 the local tax collecting unit with a full description of all the
6 real property liable to be taxed. If the name of the owner or
7 occupant of any tract or parcel of real property is known, the
8 assessor shall enter the name and address of the owner or occupant
9 opposite to the description of the property. If unknown, the real
10 property described upon the roll shall be assessed as "owner
11 unknown". All contiguous subdivisions of any section that are owned

1 by 1 person, firm, corporation, or other legal entity and all
2 unimproved lots in any block that are contiguous and owned by 1
3 person, firm, corporation, or other legal entity shall be assessed
4 as 1 parcel, unless demand in writing is made by the owner or
5 occupant to have each subdivision of the section or each lot
6 assessed separately. However, failure to assess contiguous parcels
7 as entireties does not invalidate the assessment as made. Each
8 description shall show as near as possible the number of acres
9 contained in it, as determined by the assessor. It is not necessary
10 for the assessment roll to specify the quantity of land comprised
11 in any town, city, or village lot.

12 (b) The assessor shall estimate, according to his or her best
13 information and judgment, the true cash value and assessed value of
14 every parcel of real property and set the assessed value down
15 opposite the parcel.

16 (c) The assessor shall calculate the tentative taxable value
17 of every parcel of real property and set that value down opposite
18 the parcel.

19 (d) The assessor shall determine the percentage of value of
20 every parcel of real property that is exempt from the tax levied by
21 a local school district for school operating purposes to the extent
22 provided under section 1211 of the revised school code, 1976 PA
23 451, MCL 380.1211, and set that percentage of value down opposite
24 the parcel.

25 (e) The assessor shall determine the date of the last transfer
26 of ownership of every parcel of real property occurring after
27 December 31, 1994 and set that date down opposite the parcel.

1 (f) The assessor shall estimate the true cash value of all the
2 personal property of each person, and set the assessed value and
3 tentative taxable value down opposite the name of the person. In
4 determining the property to be assessed and in estimating the value
5 of that property, the assessor is not bound to follow the
6 statements of any person, but shall exercise his or her best
7 judgment. For taxes levied after December 31, 2003, the assessor
8 shall separately state the assessed value and tentative taxable
9 value of any leasehold improvements.

10 (g) Property assessed to a person other than the owner shall
11 be assessed separately from the owner's property and shall show in
12 what capacity it is assessed to that person, whether as agent,
13 guardian, or otherwise. Two or more persons not being copartners,
14 owning personal property in common, may each be assessed severally
15 for each person's portion. Undivided interests in lands owned by
16 tenants in common, or joint tenants not being copartners, may be
17 assessed to the owners.

18 (2) SUBJECT TO THIS SECTION, A LOCAL TAX COLLECTING UNIT MAY
19 USE A COMPUTERIZED DATABASE SYSTEM AS THE ASSESSMENT ROLL DESCRIBED
20 IN SUBSECTION (1) IF THE LOCAL TAX COLLECTING UNIT AND THE ASSESSOR
21 CERTIFY IN A FORM AND MANNER PRESCRIBED BY THE STATE TAX COMMISSION
22 THAT THE PROPOSED SYSTEM HAS THE CAPACITY TO ENABLE A LOCAL TAX
23 COLLECTING UNIT TO COMPLY AND THE LOCAL TAX COLLECTING UNIT
24 COMPLIES WITH ALL OF THE FOLLOWING REQUIREMENTS:

25 (A) THE ASSESSOR SHALL CERTIFY THE ASSESSMENT ROLL AND
26 MAINTAIN A COMPUTER PRINTED FORMAT OR A DISK, EXTERNAL DRIVE, OR
27 OTHER ELECTRONIC DATA PROCESSING FORMAT COMPATIBLE WITH THE

1 COMPUTER SYSTEM USED BY THE LOCAL TAX COLLECTING UNIT. THE
2 AFFIDAVIT ATTACHED TO OR INCLUDED WITH THE ASSESSMENT ROLL SHALL
3 INCLUDE DOCUMENTATION THAT THE ASSESSMENT ROLL HAS BEEN BACKED UP
4 THROUGH A COMPUTER BACKUP SYSTEM AND A SWORN STATEMENT BY THE
5 ASSESSOR THAT THE BACKUP SYSTEM CONTAINS A TRUE AND COMPLETE RECORD
6 OF THE ASSESSMENT ROLL. THE AFFIDAVIT ATTACHED TO OR INCLUDED WITH
7 THE ASSESSMENT ROLL SHALL INCLUDE DOCUMENTATION THAT AUTHORIZES AND
8 REPORTS ALL CHANGES IN THE ASSESSMENT ROLL AS CERTIFIED BY THE
9 ASSESSOR.

10 (B) THE LOCAL TAX COLLECTING UNIT SHALL CERTIFY AND MAINTAIN A
11 RETENTION POLICY THAT COMPLIES WITH THE REQUIREMENTS OF SECTION 5
12 OF 1913 PA 271, MCL 399.5, AND SECTION 491 OF THE MICHIGAN PENAL
13 CODE, 1931 PA 328, MCL 750.491.

14 (C) THE LOCAL TAX COLLECTING UNIT SHALL CERTIFY THAT THE
15 COMPUTERIZED DATABASE SYSTEM HAS INTERNAL AND EXTERNAL SECURITY
16 PROCEDURES SUFFICIENT TO ASSURE THE INTEGRITY OF THE SYSTEM.

17 (D) NOT LATER THAN MAY 1 OF THE THIRD YEAR FOLLOWING THE YEAR
18 IN WHICH A LOCAL TAX COLLECTING UNIT BEGINS USING A COMPUTERIZED
19 DATABASE SYSTEM AS THE ASSESSMENT ROLL IN ACCORDANCE WITH THIS
20 SUBSECTION AND EVERY 3 YEARS THEREAFTER, THE LOCAL TAX COLLECTING
21 UNIT SHALL CERTIFY TO THE STATE TAX COMMISSION THAT THE
22 REQUIREMENTS OF THIS SUBSECTION ARE BEING MET.

23 (E) AN ASSESSOR OR LOCAL TAX COLLECTING UNIT THAT PROVIDES A
24 COMPUTER TERMINAL FOR PUBLIC VIEWING OF THE ASSESSMENT ROLL IS
25 CONSIDERED AS HAVING THE ASSESSMENT ROLL AVAILABLE FOR PUBLIC
26 INSPECTION.

27 (F) IF AT ANY TIME THE STATE TAX COMMISSION BELIEVES THAT A

1 LOCAL TAX COLLECTING UNIT IS NO LONGER IN COMPLIANCE WITH THIS
2 SUBSECTION, THE STATE TAX COMMISSION SHALL PROVIDE WRITTEN NOTICE
3 TO THE LOCAL TAX COLLECTING UNIT. THE NOTICE SHALL SPECIFY THE
4 REASONS THAT USE OF THE COMPUTERIZED DATABASE SYSTEM AS THE
5 ORIGINAL ASSESSMENT ROLL IS NO LONGER IN COMPLIANCE WITH THIS
6 SUBSECTION. THE LOCAL TAX COLLECTING UNIT HAS 60 DAYS TO PROVIDE
7 EVIDENCE THAT THE LOCAL TAX COLLECTING UNIT IS IN COMPLIANCE WITH
8 THIS SUBSECTION OR THAT ACTION TO CORRECT NONCOMPLIANCE HAS BEEN
9 IMPLEMENTED. IF, AFTER THE EXPIRATION OF 60 DAYS, THE STATE TAX
10 COMMISSION BELIEVES THAT THE LOCAL TAX COLLECTING UNIT IS NOT
11 TAKING SATISFACTORY STEPS TO CORRECT A CONDITION OF NONCOMPLIANCE,
12 THE STATE TAX COMMISSION UPON ITS OWN MOTION MAY WITHDRAW APPROVAL
13 OF THE USE OF THE COMPUTERIZED DATABASE SYSTEM AS THE ORIGINAL
14 ASSESSMENT ROLL. PROCEEDINGS OF THE STATE TAX COMMISSION UNDER THIS
15 SUBSECTION SHALL BE IN ACCORDANCE WITH RULES FOR OTHER PROCEEDINGS
16 FOR THE COMMISSION PROMULGATED UNDER THE ADMINISTRATIVE PROCEDURES
17 ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328, AND SHALL NOT BE
18 CONSIDERED A CONTESTED CASE.

19 Enacting section 1. This amendatory act takes effect 90 days
20 after the date it is enacted into law.