

# SENATE BILL No. 266

April 15, 2015, Introduced by Senator HANSEN and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 705 (MCL 380.705), as amended by 2003 PA 299.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 705. (1) Beginning in 1997, and in each year after 1997,  
2 a regional enhancement property tax may be levied by an  
3 intermediate school district at a rate not to exceed 3 mills to  
4 enhance other state and local funding for local school district  
5 operations if approved by a majority of the intermediate school  
6 electors voting on the question.

7       (2) If a resolution requesting that the question of a regional  
8 enhancement property tax be submitted to the voters is adopted  
9 within a 180-day period and transmitted to the intermediate school  
10 board by 1 or more boards of its constituent ~~school~~-districts  
11 representing a majority of the combined membership of the

1 constituent ~~school~~-districts as of the most recent pupil membership  
2 count day and if those resolutions all contain an identical  
3 specified number of mills to be levied under this section and an  
4 identical specified number of years for which the tax shall be  
5 levied, the question of levying a regional enhancement property tax  
6 by the intermediate school district shall be placed on the ballot  
7 by the intermediate school district at the next regular school  
8 election held in each of the constituent districts. If the question  
9 is to be submitted to the intermediate school electors of an  
10 intermediate school district having a population of more than  
11 1,400,000, the intermediate school board shall call a special  
12 election to be held at the next state primary or general election.  
13 If the resolution requirement is met more than 180 days before the  
14 next regular school district elections, and if requested in the  
15 resolutions, the intermediate school board shall submit the  
16 question of levying a regional enhancement property tax within the  
17 intermediate school district on the ballot at a special election  
18 called by the intermediate school board for that purpose not  
19 earlier than 90 days after the resolution requirements are met. **IF**  
20 **A CONSTITUENT DISTRICT HAS ENTERED INTO AN AGREEMENT WITH AN ENTITY**  
21 **FOR THE ENTITY TO PERFORM THE FUNCTIONS AND RESPONSIBILITIES OF THE**  
22 **CONSTITUENT DISTRICT FOR OPERATING A PUBLIC SCHOOL OF THE**  
23 **CONSTITUENT DISTRICT, THE PUPILS IN MEMBERSHIP IN THAT PUBLIC**  
24 **SCHOOL SHALL BE COUNTED AS PART OF THE MEMBERSHIP OF THE**  
25 **CONSTITUENT DISTRICT FOR THE PURPOSES OF THIS SUBSECTION.**

26 (3) ~~Not~~-**SUBJECT TO SUBSECTION (4),** NOT later than 10 days  
27 after receipt by the intermediate school district of the revenue

1 from the regional enhancement property tax, the intermediate school  
2 district shall calculate and pay to each of its constituent ~~school~~  
3 districts an amount of the revenue calculated by dividing the total  
4 amount of the revenue by the combined membership of the constituent  
5 ~~school~~-districts within the intermediate district, as of the most  
6 recent pupil membership count day, and multiplying that quotient by  
7 the constituent ~~school~~-district's membership, as of the most recent  
8 pupil membership count day for which a final department-audited  
9 pupil count is available. **IF A CONSTITUENT DISTRICT HAS ENTERED**  
10 **INTO AN AGREEMENT WITH AN ENTITY FOR THE ENTITY TO PERFORM THE**  
11 **FUNCTIONS AND RESPONSIBILITIES OF THE CONSTITUENT DISTRICT FOR**  
12 **OPERATING A PUBLIC SCHOOL OF THE CONSTITUENT DISTRICT, THE PUPILS**  
13 **IN MEMBERSHIP IN THAT PUBLIC SCHOOL SHALL BE COUNTED AS PART OF THE**  
14 **MEMBERSHIP OF THE CONSTITUENT DISTRICT FOR THE PURPOSES OF THIS**  
15 **SUBSECTION. UPON RECEIPT OF THE REVENUE UNDER THIS SECTION THAT IS**  
16 **ATTRIBUTABLE TO THOSE PUPILS IN THAT PUBLIC SCHOOL, THE CONSTITUENT**  
17 **DISTRICT SHALL TRANSFER THAT REVENUE TO THE ENTITY PERFORMING THE**  
18 **FUNCTIONS AND RESPONSIBILITIES OF THE CONSTITUENT DISTRICT FOR**  
19 **OPERATING THAT PUBLIC SCHOOL.**

20 (4) IF A SCHOOL DISTRICT HAS BEEN DISSOLVED UNDER SECTION 12  
21 BUT RETAINS A LIMITED SEPARATE IDENTITY UNDER SECTION 12, THAT  
22 SCHOOL DISTRICT IS NOT ELIGIBLE FOR PAYMENT OF ANY REVENUE UNDER  
23 THIS SECTION.

24 (5) ~~(4)~~—Regional enhancement property tax under this section  
25 may be levied for a term not to exceed 20 years, as specified in  
26 the ballot question, and may be renewed for the same term with the  
27 approval of a majority of the intermediate school electors voting

1 on the question.

2       (6) ~~(5)~~—The question of levying a regional enhancement  
3 property tax under this section shall be presented to the  
4 intermediate school electors as a separate question.