

HOUSE BILL No. 6519

November 27, 2018, Introduced by Rep. Albert and referred to the Committee on Financial Liability Reform.

A bill to amend 1909 PA 283, entitled

"An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies,"

by amending section 20b of chapter IV (MCL 224.20b).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER IV

Sec. 20b. (1) Notwithstanding any other provision of this act, the board of commissioners of any county by proper resolution may

1 submit to the ~~electorate~~**ELECTORS** of the county at any general or
2 special election the question of a tax levy for highway, road, and
3 street purposes or for 1 or more specific highway, road, or street
4 purposes, including, but not limited to, bridges, as may be
5 specified by the board. **IN ADDITION, FOR ANY PROPOSED TAX LEVY**
6 **AUTHORIZED UNDER THIS SUBSECTION THAT IS SUBMITTED TO THE ELECTORS**
7 **OF THE COUNTY AFTER THE EFFECTIVE DATE OF THE 2018 AMENDATORY ACT**
8 **THAT AMENDED THIS SECTION, THE QUESTION OF THE TAX LEVY MAY INCLUDE**
9 **FUNDING FOR THE UNFUNDED ACTUARIAL ACCRUED LIABILITY OF A**
10 **RETIREMENT SYSTEM OF THE COUNTY ROAD COMMISSION IN THAT COUNTY.**

11 (2) Unless otherwise agreed by the governing bodies of the
12 cities and villages and the board of county road commissioners, the
13 revenues derived from the tax levy authorized by this section ~~shall~~
14 **MUST** be allocated and distributed by the county treasurer as
15 follows:

16 (a) To the county road fund:

17 (i) A percentage of the total revenues equal to the proportion
18 that the state equalized valuation of the unincorporated area of
19 the county bears to the total state equalized value of the county.

20 (ii) A percentage of the remainder of the revenues equal to
21 the proportion that the county primary road mileage within cities
22 and villages bears to the total of the city and village major
23 street mileage in the county plus the county primary road mileage
24 within cities and villages in the county. The mileages to be used
25 are the most recent mileages as certified by the state highway
26 commission.

27 (b) The remaining revenues ~~shall~~**MUST** be distributed to the

1 cities and villages in the proportion that the state equalized
2 valuation of each bears to the total state equalized valuation of
3 the incorporated areas of the county.

4 (3) The revenues allocated to the cities and villages shall
5 **MUST** be expended exclusively for highway, road, and street
6 purposes. ~~The~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE**
7 revenues allocated to the county road fund shall ~~shall~~ **MUST** be expended
8 by the board of county road commissioners exclusively for highway,
9 road, and street purposes. **FOR ANY TAX LEVY AUTHORIZED UNDER**
10 **SUBSECTION (1) THAT IS APPROVED BY THE ELECTORS OF THE COUNTY AFTER**
11 **THE EFFECTIVE DATE OF THE 2018 AMENDATORY ACT THAT AMENDED THIS**
12 **SECTION, THE REVENUES FROM THAT TAX LEVY ALLOCATED TO THE COUNTY**
13 **ROAD FUND MAY ALSO BE EXPENDED BY THE BOARD OF COUNTY ROAD**
14 **COMMISSIONERS FOR FUNDING THE UNFUNDED ACTUARIAL ACCRUED LIABILITY**
15 **OF A RETIREMENT SYSTEM OF THE COUNTY ROAD COMMISSION IN THAT**
16 **COUNTY.**

17 ~~—— (4) Notwithstanding the provisions of section 22 of this~~
18 ~~chapter, section 7 of Act No. 156 of the Public Acts of 1851, as~~
19 ~~amended, being section 46.7 of the Compiled Laws of 1948, or~~
20 ~~section 1 of Act No. 28 of the Public Acts of 1911, being section~~
21 ~~141.71 of the Compiled Laws of 1948, a board of county~~
22 ~~commissioners shall not submit to the electorate of the county the~~
23 ~~question of a tax levy for any highway, road or street purpose,~~
24 ~~including but not limited to bridges, nor submit the question of~~
25 ~~borrowing money for any such purpose, to be voted upon at any~~
26 ~~election held on or after September 1, 1971 unless the revenues or~~
27 ~~proceeds are allocated and distributed in the same manner as the~~

1 ~~revenues derived from a tax levy authorized by this section.~~