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House Bill 5024 (Substitute H-1 as passed by the House)
House Bill 5025 (Substitute H-1 as passed by the House)
Sponsor: Representative Tim Sneller (H.B. 5024)
Representative Gary Howell (H.B. 5025)
House Committee: Local Government and Municipal Finance
Ways and Means
Senate Committee: Local Government

Date Completed: 11-30-20

CONTENT

House Bill 5024 (H-1) would amend Chapter 16 of the Revised Statutes of 1846 to do the following:

- Allow a township to levy a tax of up to one mill for up to six years on all of the taxable property in the township for mosquito abatement.
- Prohibit a proposal for a mosquito abatement tax from being placed on the ballot unless it was adopted by a resolution of the township board.
- Require that a tax levied under the bill to be levied and collected at the same time and in the same manner as provided under the General Property Tax Act.

House Bill 5025 (H-1) would amend Chapter 16 of the Revised Statutes of 1846 to do the following:

- Allow a township to finance by special assessment the provision of mosquito abatement by private contractors.
- Allow a township board to initiate the establishment of a township-wide special assessment district for mosquito abatement by resolution or the use of petitions to initiate the establishment of a special assessment district, or both.
- Require a petition to be signed by the owners of at least 10% of the land in the township.
- Require the township board to submit the question of raising money for mosquito abatement by special assessment to electors in that township at a general or special election if the requirements for a resolution or petition were met.
- Require a ballot to include the duration of the special assessment.
- Establish a special assessment district for mosquito abatement if a majority of the electors in the township approved it on a ballot.
- Require that all proceedings related to making, levying, and collecting of special assessment for mosquito abatement conform as nearly as practicable with proceedings provided under Public Act 188 of 1954.

House Bill 5024 (H-1) is tie-barred to House Bill 5025.

House Bill 5024 (H-1)

Under the bill, a township could levy a tax of not more than one mill for a maximum period of six years on all the taxable property in the township for the purpose of mosquito abatement.

A proposal for such a tax could not be placed on the ballot unless the proposal was adopted by a resolution of the township board. A ballot proposal for a tax would have to comply with the requirements of Section 24f of the General Property Tax Act, which pertains to the authorization of bond issuances and millage rates. The township could levy the tax for mosquito abatement only if the majority of the electors in the township approved the tax.

A tax authorized to be levied by a township under the bill would have to be levied and collected at the same time and in the same manner as provided in the General Property Tax Act.

House Bill 5025 (H-1)

Under the bill, a township could finance by special assessment the provision of mosquito abatement by private contractors. The township board could initiate the establishment of a township-wide special assessment district for this purpose by resolution or authorize the use of petitions to initiate the establishment of a special assessment district, or both.

If petitions were used to initiate the establishment of a township-wide special assessment district, the owners of a minimum of 10% of the land in the township would have to sign the petitions to initiate the establishment of the special assessment district.

If a township board adopted a resolution to initiate the establishment of a special assessment district, or if the owners of a minimum of 10% of the land in the township signed petitions to initiate the establishment of a township-wide special assessment district, the township board would have to submit the question of raising money for mosquito abatement by special assessment to the electors who resided in that township at a general election or special election called for that purpose by the township board. When submitting the question to the electors, the ballot would have to state the duration of the special assessment.

If the question of raising money for mosquito abatement by special assessment were submitted by the township board to electors residing in that township, a special assessment district for mosquito abatement would be established if a majority of the electors approved the special assessment district.

All proceedings related to the making, levying, and collecting of special assessments under the bill would have to conform as nearly as practicable with the proceedings provided in Public Act 188 of 1954. (Public Act 188 of 1954 generally prescribes the procedures in which a township board must follow when making, levying, and collecting special assessments.)

Currently, the law specifies for which purposes a township board may appropriate money or spend funds. The bill would authorize mosquito abatement as one of those purposes.

MCL 41.1a et al. (H.B. 5024)
Proposed MCL 41.110c (H.B. 5025)

Legislative Analyst: Dana Adams

FISCAL IMPACT

The bills would have no fiscal impact on the State and likely would have no net fiscal impact on local governments. The bills' provisions are permissive, so any fiscal impact would depend on the actions of individual townships. If a township chose to hold a special election regarding

the millage, there would be costs incurred that otherwise would be avoided if the question were put on the ballot of a general election. The revenue from the special assessment would presumably be enough to pay the costs of mosquito abatement, so that would not result in a net increase in costs for the township.

Fiscal Analyst: Ryan Bergan

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.