

SENATE BILL NO. 1053

August 15, 2020, Introduced by Senator VICTORY and referred to the Committee on Finance.

A bill to amend 1976 PA 225, entitled

"An act to defer the collection of special assessments on homestead properties; to provide for conditions of eligibility for such a deferment; to prescribe the powers and duties of the department of treasury, local assessing officers, and local collecting officers; to provide for the advancement of moneys by the state to indemnify special assessment districts for losses from deferment of collections; to provide for the advancement of money by the state to an owner for the repayment of loans used by the owner to pay special assessments; to provide for the collection of deferred special assessments and interest thereon, and the disposition of these collections; to make an appropriation; and to prescribe penalties,"

by amending section 2 (MCL 211.762), as amended by 1980 PA 403.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) The payment of special assessments assessed and
2 due and payable on a homestead in any year in which the owner meets
3 all of the terms and conditions of this act ~~shall be~~ **are** deferred
4 until 1 year after the owner's death, subject to further order by
5 the probate court or until the homestead or any part of the
6 homestead is conveyed or transferred to another or a contract to
7 sell is entered into. The death of a spouse ~~shall~~ **does** not
8 terminate the deferment of special assessments for a homestead
9 owned by ~~husband and wife~~ **a married couple** under tenancy by the
10 entireties as long as the surviving spouse does not remarry.
11 Special assessments deferred under this act may be paid in full at
12 any time. **An owner may also make partial payments on the balance of**
13 **special assessments deferred under this act, including any interest**
14 **due on those special assessments, at any time.**

15 (2) If the collecting officer or the department determines
16 that legal or equitable title to a homestead or any part of a
17 homestead for which special assessments are deferred under this act
18 is conveyed or transferred or a contract to sell the homestead or
19 part of a homestead is entered into, and the deferment is not
20 terminated, the owner or owner's estate ~~shall be~~ **is** subject to an
21 interest rate of 1% per month or fraction of a month, on the amount
22 deferred, computed from the date of conveyance, transfer, or
23 contractual agreement. The amount of interest ~~shall be~~ **is** payable
24 to the collecting officer and **must be** transmitted by that office
25 pursuant to section 9.

26 (3) The department shall notify each owner whose special
27 assessments are authorized to be deferred under this act that if

1 legal or equitable title to the homestead or any part of the
2 homestead is conveyed or transferred or a contract to sell the
3 homestead or part of the homestead is entered into, the deferment
4 is terminated and the amount deferred is immediately due and
5 payable, plus interest as provided in subsection (2).