

# Legislative Analysis



## POLICE AND FIRE SPECIAL ASSESSMENTS

Phone: (517) 373-8080  
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**House Bill 5248 (H-1) as reported from committee**  
**Sponsor: Rep. Richard M. Steenland**  
**Committee: Local Government and Municipal Finance**  
**Complete to 4-27-22**

Analysis available at  
<http://www.legislature.mi.gov>

*(Enacted as Public Act 228 of 2022)*

### SUMMARY:

House Bill 5248 would amend 1951 PA 33, which governs the provision of police and fire protection services by certain municipalities, to allow any city with a population of 15,500 or more to act as a qualified city under the act as long as voters approve the levy and amount of any proposed special assessment.

1951 PA 33 applies to townships and adjoining townships and incorporated villages and **qualified cities**. Among other things, the act authorizes these municipalities to provide funding to equip, maintain, and operate police and fire departments and to levy a special assessment on property in the area benefited by the police or fire services. Municipalities can issue bonds in anticipation of the collection of the assessments. Municipalities can charge fees for emergency police, fire, or ambulance services. Contiguous municipalities can act jointly under the act.

Currently, **qualified city** means any of the following:

- A city with a population of less than 15,500.
- A city with a population of 15,500 or more but less than 70,000 that is located in a county with a population of more than 180,000 and less than 215,000, as long as the question of raising money by special assessment under the act and the annual amount of the special assessment is approved by a majority of voters in the special assessment district. [This describes the city of Saginaw.]
- A city that is located in a county with a population of more than 1.5 million and that contains an airport with 10.0 million or more enplanements (passengers) in any 12-month period, as long as the question of raising money by special assessment under the act and the annual amount of the special assessment are approved by a majority of voters in the special assessment district. [This describes the city of Romulus.]

The bill would amend the definition of **qualified city** to remove the third bulleted item above and also remove the city population cap and county location requirements from the second bulleted item.

Under the bill, then, **qualified city** would mean either a city with a population of less than 15,500 or a larger city (population 15,500 or greater) in which the question of raising money by special assessment under the act and the annual amount of the special assessment are approved by a majority of voters in the special assessment district. (Note that, under both current law and the bill, for cities with a population of 15,500 or greater, voters also must approve any increase in the amount of the special assessment.)

MCL 41.810

## **BACKGROUND:**

Saginaw and Romulus are now the only cities with a population greater than 15,500 that are qualified cities under 1951 PA 33.

Saginaw County (population 190,124) and Livingston County (193,866) are the only counties with populations between 180,000 and 215,000, and Saginaw (44,202) is the only city in either of those counties with a population between 15,500 and 70,000.

Wayne County (population 1,793,561) is the only Michigan county with a population of more than 1.5 million, and Romulus is the only city there with an airport that meets the enplanement criteria under the act (Detroit Metropolitan Wayne County Airport).

1951 PA 33 was first enacted to provide a funding mechanism for township fire services and equipment. Over the years, it has been expanded to include villages (in 1960), cities with a population below 15,000 (in 1966), and police services and equipment (in 1989).

In 2004, the act was amended to allow Saginaw to act jointly with other municipalities to fund police and fire services through a special assessment.<sup>1</sup> This provision was amended in 2020 to reflect the decline in Saginaw County's population since the 2010 federal census.<sup>2</sup>

In 2021, the act was amended to change the population threshold for qualified cities from 15,000 to 15,500, to account for population changes reflected in the 2020 federal census. In addition, Romulus was included as a qualified city to provide it with a funding tool to meet its public safety responsibilities as the site of Michigan's busiest airport.<sup>3</sup>

House Bill 5248 would allow any city with a population of 15,500 or greater to be a qualified city under the act, as long as the special assessment and its amount were approved by voters in the special assessment district.

## **FISCAL IMPACT:**

House Bill 5248 would have no direct fiscal impact on state and local government. While the revised definition of qualified city would expand the number of cities that would be eligible for qualified city status under the act, the language pertaining to levying a special assessment is permissive and would be subject to approval by the voters in a special assessment district.

## **POSITIONS:**

Representatives of the following entities testified in support of the bill (2-16-22):

- Michigan Municipal League
- City of Roseville

Legislative Analyst: Rick Yuille  
Fiscal Analyst: Ben Gielczyk

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

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<sup>1</sup> <https://www.legislature.mi.gov/documents/2003-2004/billanalysis/Senate/pdf/2003-SFA-1485-E.pdf>

<sup>2</sup> <https://www.legislature.mi.gov/documents/2019-2020/billanalysis/House/pdf/2019-HLA-0762-423B83CE.pdf>

<sup>3</sup> <https://www.legislature.mi.gov/documents/2021-2022/billanalysis/House/pdf/2021-HLA-4281-B48B80F5.pdf>