

Act No. 52
Public Acts of 2023
Approved by the Governor
June 29, 2023
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**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023**

Introduced by Reps. Grant, Rheingans, Hood, Martus, Neeley, Price, Skaggs, Fitzgerald, Tyrone Carter, Scott, Brenda Carter, Glanville, Paiz, O'Neal, Brixie, Young, Dievendorf, Edwards, MacDonell, Wilson, Stone and Brabec

ENROLLED HOUSE BILL No. 4375

AN ACT to amend 2003 PA 258, entitled “An act to provide for the creation of land bank fast track authorities to assist governmental entities in the assembly and clearance of title to property in a coordinated manner; to facilitate the use and development of certain property; to promote economic growth; to prescribe the powers and duties of certain authorities; to provide for the creation and appointment of boards to govern land bank fast track authorities and to prescribe their powers and duties; to authorize the acquisition, maintenance, and disposal of interests in real and personal property; to authorize the conveyance of certain properties to a land bank fast track authority; to authorize the enforcement of tax liens and the clearing or quieting of title by a land bank fast track authority; to provide for the distribution and use of revenues collected or received by a land bank fast track authority; to prescribe powers and duties of certain public entities and state and local officers and agencies; to authorize the transfer and acceptance of property in lieu of taxes and the release of tax liens; to exempt property, income, and operations of a land bank fast track authority from tax; to extend protections against certain liabilities to a land bank fast track authority; and to repeal acts and parts of acts,” by amending section 3 (MCL 124.753).

The People of the State of Michigan enact:

Sec. 3. As used in this act:

- (a) “Authority” means a land bank fast track authority created under section 15, section 23(4), or section 23(5).
- (b) “Authority board” means the board of directors of the state authority appointed under section 16.
- (c) “Casino” means a casino regulated by this state under the Michigan Gaming Control and Revenue Act, 1996 IL 1, MCL 432.201 to 432.226, or a casino at which gaming is conducted under the Indian gaming regulatory act, Public Law 100-497, and all property associated or affiliated with the operation of the casino, including, but not limited to, a parking lot, hotel, motel, or retail store.
- (d) “County authority” means a county land bank fast track authority created by a county foreclosing governmental unit under section 23(4).
- (e) “Department” means the department of labor and economic opportunity.
- (f) “Foreclosing governmental unit” means that term as defined in section 78 of the general property tax act, 1893 PA 206, MCL 211.78.
- (g) “Fund” means the land bank fast track fund created in section 18.

(h) "Intergovernmental agreement" means a contractual agreement between 1 or more governmental agencies, including, but not limited to, an interlocal agreement to jointly exercise any power, privilege, or authority that the agencies share in common and that each might exercise separately under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

(i) "Local authority" means a local land bank fast track authority created by a qualified city under section 23(5), with the local land bank fast track authority having control over properties within its geographical boundaries, unless that local land bank fast track authority approves an intergovernmental agreement as allowed under this act.

(j) "Local unit of government" means a city, village, township, county, or any intergovernmental, metropolitan, or local department, agency, or authority, or other local political subdivision.

(k) "Michigan economic development corporation" means the public body corporate created under section 28 of article VII of the state constitution of 1963 and the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by a contractual interlocal agreement effective April 5, 1999, as amended, between local participating economic development corporations formed under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan strategic fund. If the Michigan economic development corporation is unable for any reason to perform its duties under this act, those duties may be exercised by the Michigan strategic fund.

(l) "Michigan state housing development authority" means the Michigan state housing development authority created under the state housing development authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c.

(m) "Michigan strategic fund" means the Michigan strategic fund as described in the Michigan strategic fund act, 1984 PA 270, MCL 125.2001 to 125.2094.

(n) "Qualified city" means 1 of the following:

(i) A city that contains a first class school district.

(ii) A city that has a population of 50,000 or more according to the most recent federal decennial census if that city is not located in a county with a county authority under section 23(4) when the city establishes a local authority under section 23(5).

(iii) A township that has a population of 50,000 or more according to the most recent federal decennial census if that township is not located in a county with a county authority under section 23(4) when the township establishes a local authority under section 23(5). Beginning on the effective date of the amendatory act that added this subparagraph, a reference to "city" in section 23(7) includes a township described in this subparagraph.

(o) "State administrative board" means the board created under 1921 PA 2, MCL 17.1 to 17.3, that exercises general supervisory control over the functions and activities of all administrative departments, boards, commissioners, and officers of this state and of all state institutions.

(p) "State authority" means the land bank fast track authority created under section 15.

(q) "Tax reverted property" means property that meets 1 or more of the following criteria:

(i) The property was conveyed to this state under former section 67a of the general property tax act, 1893 PA 206, and subsequently was not sold at a public auction under former section 131 of the general property tax act, 1893 PA 206, except property described in former section 131 of the general property tax act, 1893 PA 206, that is withheld from sale by the director of the department of natural resources as authorized in that section.

(ii) The property was conveyed to this state under former section 67a of the general property tax act, 1893 PA 206, and subsequently was either redeemed by a local unit of government or transferred to a local unit of government under section 2101 or 2102 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2101 and 324.2102, or under former section 461 of 1909 PA 223, except property transferred to a local unit of government that is subject to a reverter clause under which the property reverts to this state upon transfer by the local unit of government.

(iii) The property was subject to forfeiture, foreclosure, and sale for the collection of delinquent taxes as provided in sections 78 to 79a of the general property tax act, 1893 PA 206, MCL 211.78 to 211.79a, and both of the following apply:

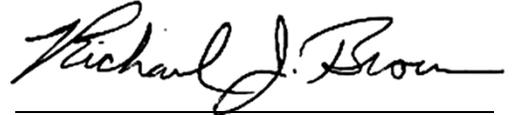
(A) Title to the property vested in a foreclosing governmental unit under section 78k of the general property tax act, 1893 PA 206, MCL 211.78k.

(B) The property was offered for sale at an auction but not sold under section 78m of the general property tax act, 1893 PA 206, MCL 211.78m.

(iv) The property was obtained by or transferred to a local unit of government under section 78m of the general property tax act, 1893 PA 206, MCL 211.78m.

(v) Pursuant to the requirements of a city charter, the property was deeded to or foreclosed by the city or a department or agency of the city for unpaid delinquent real property taxes.

(vi) Pursuant to the requirements of a township charter, the property was deeded to or foreclosed by the township or a department or agency of the township for unpaid delinquent real property taxes.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor