

Act No. 287
Public Acts of 1990
Approved by the Governor
December 13, 1990
Filed with the Secretary of State
December 14, 1990

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1990**

Introduced by Rep. Mathieu

ENROLLED HOUSE BILL No. 5979

AN ACT to amend section 144 of Act No. 331 of the Public Acts of 1966, entitled "An act to revise and consolidate the laws relating to community colleges; to provide for the creation of community college districts; to provide a charter for such districts; to provide for the government, control and administration of such districts; to provide for the election of a board of trustees; to define the powers and duties of the board of trustees; to provide for the assessment, levy, collection and return of taxes therefor; and to repeal certain acts and parts of acts," as amended by Act No. 79 of the Public Acts of 1984, being section 389.144 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 144 of Act No. 331 of the Public Acts of 1966, as amended by Act No. 79 of the Public Acts of 1984, being section 389.144 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 144. (1) The board of trustees of each community college district may levy for the purposes specified as within the power of the board a tax that does not exceed the rate previously or subsequently authorized by the qualified electors of the district or the rate derived through the previous adoption by the electors of the district of former Act No. 188 of the Public Acts of 1955, as amended, or the rate that is allocated to the community college district in accordance with the property tax limitation act, Act No. 62 of the Public Acts of 1933, as amended, being sections 211.201 to 211.217a of the Michigan Compiled Laws. The funds may be used for all purposes authorized, except that to the extent permitted under the municipal finance act, Act No. 202 of the Public Acts of 1943, as amended, being sections 131.1 to 139.3 of the Michigan Compiled Laws, taxes imposed for the payment of principal and interest on bonds or other evidences of indebtedness or for the payment of assessments or contract obligations in anticipation of which bonds are issued may be imposed without limitation as to rate or amount. This limitation may be increased to not more than 5 mills if approved by a majority of the qualified electors voting on the question at any general or special election of the community college district.

(2) Except as provided in subsection (3), the board of trustees shall determine the total taxes required for any year and shall certify the approved tax rate to be levied and the amount of taxes to be raised to the proper assessing officer of each city and township in which the territory of the community college district is situated on or before September 1 of each year, except that the board of trustees may provide by resolution that taxes to be raised against property within any city or township, any portion of which lies within the community college district boundaries, may be levied and collected in the same manner and at the same time as the city or township taxes or in the same manner and at the same time as school district or intermediate school district taxes are being collected by the city or township pursuant to part 26 of the school code of 1976, Act No. 451 of the Public Acts of 1976, as amended, being sections 380.1611 to 380.1615 of the Michigan Compiled Laws.

(3) By resolution of its board on or before May 15 of the year in which it is established, a community college district established under this act between January 1 and May 1 of any calendar year may impose a summer property tax levy of either the total or 1/2 of the community college district property taxes for that tax year. The board resolution shall also determine the total taxes required for that tax year and certify the approved tax rate to be levied and the amount of taxes to be raised to the proper assessing officer of each city or township in which the territory of the community college district is situated. Upon receipt of that board resolution, each city and township in which the community college district is situated that collects a summer property tax levy pursuant to section 1613 of Act No. 451 of the Public Acts of 1976, being section 380.1613 of the Michigan Compiled Laws, shall collect the summer levy for that year. The reasonable and actual expenses incurred by a city or township in collecting the community college district property taxes under this subsection, to the extent these expenses are in addition to the expense of collecting and assessing any other taxes at the same time and exceed the amount of any fees imposed for the collection of the community college property taxes, shall be billed to and paid by the community college district. For the purposes of this subsection, reasonable and actual expenses shall not exceed the current collection agreements negotiated with the largest intermediate school district within the community college district. This subsection applies until December 31, 1992.

(4) All money collected by any tax collecting officer from the tax levied pursuant to this section shall be returned to the community college district pursuant to section 43 of the general property tax act, Act No. 206 of the Public Acts of 1893, being section 211.43 of the Michigan Compiled Laws, or to the county treasurer who shall pay the taxes so returned immediately to the community college district.

(5) The subjects of taxation for the community college district purposes shall be the same as for state, county, and other school purposes as provided under the general property tax act, Act No. 206 of the Public Acts of 1893, being sections 211.1 to 211.157 of the Michigan Compiled Laws.

This act is ordered to take immediate effect.

.....
Clerk of the House of Representatives.

.....
Secretary of the Senate.

Approved

.....
Governor.