

HOUSE BILL No. 5145

October 9, 1989, Introduced by Rep. Jondahl and referred to the Committee on Taxation.

A bill to amend section 36 of Act No. 206 of the Public Acts of 1893, entitled as amended

"The general property tax act,"

as amended by Act No. 352 of the Public Acts of 1988, being section 211.36 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 36 of Act No. 206 of the Public Acts of
2 1893, as amended by Act No. 352 of the Public Acts of 1988, being
3 section 211.36 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 36. (1) The township clerk of each township, on or
6 before September 30 of each year, shall make and deliver to the
7 supervisor of the clerk's township and to the county clerk, a
8 certified copy of all statements and certificates on file and
9 of all records of any vote or resolution in the clerk's office

1 authorizing or directing money to be raised in the township by
2 taxation for township, school, highway, drain, and all other pur-
3 poses, together with a statement of the aggregate amount
4 thereof. HOWEVER, IF THE ISSUANCE OF BONDS OR NOTES HAS BEEN
5 APPROVED BY THE ELECTORS BEFORE SEPTEMBER 30, NOTHING IN THIS
6 SUBSECTION SHALL PRECLUDE DELIVERY BY THE CLERK AFTER
7 SEPTEMBER 30 OF A RESOLUTION AUTHORIZING ADDITIONAL MILLAGE TO BE
8 LEVIED FOR DEBT SERVICE IN THE YEAR VOTED. The clerk shall
9 present the copies to the county board of commissioners at its
10 annual meeting and file the copies in the clerk's office. The
11 county board of commissioners shall not levy in the year voted a
12 tax levy voted on or after September 30. This subsection does
13 not apply if one of subsections (2) through (9) applies.

14 (2) The amount of taxes that are to be levied for school
15 purposes in a school district, an intermediate school district,
16 or community or junior college district that holds an election on
17 or after September 30 and on or before November 15, or that holds
18 a second millage election under this subsection allowable pursu-
19 ant to subsection (3) on or before December 7, and ~~which~~ THAT
20 are approved, shall be certified for the calendar year in which
21 the election is held, only if 1 of the following applies:

22 (a) For a school district, a prior school millage election
23 in that district has been defeated in the same calendar year.

24 (b) For a school district, the school millage election is
25 held in November on the date that school district elects its
26 board members.

1 (c) For a community or junior college district, a prior
2 community or junior college millage election in that district has
3 been defeated in the same calendar year.

4 (d) For an intermediate school district, the district has a
5 population greater than 1,400,000.

6 (e) For an intermediate school district with a population of
7 less than 1,400,000, the millage election is held on or before
8 October 15.

9 (f) For a school district in the 1987 calendar year only,
10 the district's operating millage in the 1986-87 school year was
11 33 mills and its extra voted millage for operating purposes was
12 22.95 mills; the district has less total operating revenue than
13 in the previous school year; and the district has not held a
14 school millage election in 1987 ~~prior to~~ BEFORE September 30.

15 (g) For a school district in the 1987 calendar year only,
16 the school district during the 1986-87 school year levied 29.615
17 operating mills, incurred an operating deficit in violation of
18 section 102 of the state school aid act of 1979, Act No. 94 of
19 the Public Acts of 1979, being section 388.1702 of the Michigan
20 Compiled Laws, ended the year with a negative general fund bal-
21 ance and has not held a school millage election in 1987 before
22 September 30.

23 (3) Except as otherwise provided in this subsection, a
24 school district, an intermediate school district, or a community
25 or junior college district shall not conduct more than 1 millage
26 election pursuant to subsection (2). If a district's operating
27 revenue is less than the total operating revenue for the previous

1 school year, the district may hold a second school millage
2 election pursuant to subsection (2) on or before December 7.

3 (4) The amount of taxes that are to be levied for township
4 purposes in a township that holds an election after September 30,
5 1986 and on or before November 15, 1986 and ~~which~~ THAT are
6 approved shall be certified for the 1986 calendar year if both of
7 the following apply:

8 (a) The millage is for a court ordered payment of debt serv-
9 ice for a sewer system.

10 (b) A millage for the same purpose was defeated in the 1986
11 calendar year.

12 (5) The amount of taxes that are to be levied for police and
13 fire protection in a township or the amount of taxes that are to
14 be levied for historical purposes in a county that holds an elec-
15 tion after September 30, 1986 and on or before November 15, 1986
16 and ~~which~~ THAT are approved shall be certified for the 1986
17 calendar year.

18 (6) The amount of taxes that are to be levied for emergency
19 medical units in a township ~~which~~ THAT holds an election for
20 renewal of a millage for this purpose ~~prior to~~ BEFORE
21 November 15, 1986 shall be certified for the 1986 calendar year.

22 (7) The amount of taxes that are to be levied for purposes
23 described in section 4 of Act No. 206 of the Public Acts of 1957,
24 being section 259.624 of the Michigan Compiled Laws, by an air-
25 port authority governed by section 7a of Act No. 206 of the
26 Public Acts of 1957, being section 259.627a of the Michigan

1 Compiled Laws, at an election on November 3, 1987 and ~~which~~
2 THAT are approved shall be certified for the 1987 calendar year.

3 (8) The amount of taxes that are to be levied by a district
4 library board for the purposes described in FORMER section 5 of
5 Act No. 164 of the Public Acts of 1955 ~~, being section 397.275~~
6 ~~of the Michigan Compiled Laws,~~ and that are approved at an elec-
7 tion on November 3, 1987 shall be certified for the 1987 calendar
8 year.

9 (9) The amount of taxes that are to be levied for the con-
10 tinuation of drug enforcement in a county or the amount of taxes
11 that are to be levied for police protection or for road improve-
12 ments in a township that are approved at an election on
13 November 8, 1988 shall be certified for the 1988 calendar year.

14 (10) On the day after a millage is certified pursuant to
15 subsections (2) through (9), the appropriate county board of com-
16 missioners shall meet and direct or amend its direction for the
17 spread of millages by local units in the county in accordance
18 with the certification or amended certification.

19 (11) The reasonable and actual expenses incurred by a town-
20 ship, county, or city in assessing and collecting the school dis-
21 trict, intermediate school district, community or junior college
22 district, or airport authority taxes levied and spread pursuant
23 to an election under subsection (2), (3), or (7) ~~which~~ THAT is
24 held after September 30, to the extent these expenses are in
25 addition to the expense of collection and assessing any other
26 taxes at the same time and exceed the amount of any fees imposed
27 for the collection of these taxes, shall be billed to and paid by

1 the school district, intermediate school district, community or
2 junior college district, or airport authority.