

HOUSE BILL No. 5102

October 29, 2013, Introduced by Reps. Singh, Geiss, Dillon, LaVoy and Schor and referred to the Committee on Local Government.

A bill to amend 1893 PA 206, entitled
"The general property tax act,"
by amending section 42a (MCL 211.42a), as amended by 2012 PA 461.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 42a. (1) Subject to this section, a local tax collecting
2 unit may use a computerized data base system as the tax roll if any
3 of the following apply:

4 (a) The local **TAX COLLECTING** unit obtains written
5 authorization from the state tax commission.

6 (b) The treasurer of the county in which the local tax
7 collecting unit is located obtains written authorization from the
8 state tax commission for the use by the county treasurer or local
9 tax collecting units within the county of an approved computerized
10 data base system as the tax roll. This subdivision shall not be
11 construed to prohibit a local tax collecting unit from seeking

1 authorization from the state tax commission to use a computerized
2 data base system developed by the local tax collecting unit.

3 (c) The state tax commission fails to authorize or deny within
4 120 days a written request from a county treasurer or a local tax
5 collecting unit under this subsection to use a computerized data
6 base system as the tax roll.

7 (2) The state tax commission shall authorize the use of a
8 computerized data base system as the tax roll if the local tax
9 collecting unit or the county treasurer demonstrates that the
10 proposed system has the capacity to enable a local **TAX COLLECTING**
11 unit to comply and the local **TAX COLLECTING** unit complies with all
12 of the following requirements:

13 ~~—— (a) An original precollection tax roll shall be printed from~~
14 ~~the computerized data base and warranted by the assessor. That~~
15 ~~printed precollection tax roll shall be maintained by the assessor~~
16 ~~until the expiration of the redemption period provided in section~~
17 ~~78k following the entry of a judgment foreclosing property~~
18 ~~forfeited for delinquent taxes under section 78g, or the resolution~~
19 ~~of all pending appeals, whichever is later.~~

20 ~~—— (b) A separate computer printout of all parcel splits and~~
21 ~~combinations, including sufficient information to document the~~
22 ~~accuracy of the splits or combinations, shall be prepared and~~
23 ~~maintained by the assessor until the expiration of the redemption~~
24 ~~period provided in section 78k following the entry of a judgment~~
25 ~~foreclosing property forfeited for delinquent taxes under section~~
26 ~~78g, or the resolution of all pending appeals, whichever is later.~~

27 ~~—— (c) A separate computer printout of all corrections and~~

1 ~~adjustments to the precollection tax roll authorized by action of~~
2 ~~the board of review, state tax commission, or tax tribunal,~~
3 ~~including sufficient information to document the accuracy of all~~
4 ~~corrections and adjustments, shall be prepared and maintained by~~
5 ~~the assessor until the expiration of the redemption period provided~~
6 ~~in section 78k following the entry of a judgment foreclosing~~
7 ~~property forfeited for delinquent taxes under section 78g, or the~~
8 ~~resolution of all pending appeals, whichever is later.~~

9 (A) ~~(d)~~The **TREASURER OF THE** local tax collecting ~~treasurer~~
10 **UNIT** and the assessor shall produce a final settlement tax roll to
11 certify taxes collected to the county treasurer under section 55.
12 The assessor shall certify that taxable values, state equalized
13 valuations, adjusted valuations, and the spread of taxes and
14 adjusted taxes are correctly recorded in the settlement tax roll.
15 The **TREASURER OF THE** local tax collecting ~~treasurer~~**UNIT** shall
16 certify delinquent taxes and certify that all tax collections are
17 posted on the settlement tax roll. Those certifications and the
18 settlement tax roll shall be transmitted to the county treasurer.
19 The settlement tax roll transmitted to the county treasurer may be
20 in either a computer printed format or a disk, external drive, or
21 other electronic data processing format compatible with the
22 computer system used by the county treasurer. The affidavit
23 attached to or included with the settlement tax roll shall include
24 documentation that authorizes and reports all changes in the
25 precollection tax roll.

26 (B) ~~(e)~~The treasurer of the local tax collecting unit shall
27 ~~prepare and maintain~~**PREPARES AND MAINTAINS** a journal of the

1 collections totaled and reconciled to the amount of actual
2 collections daily.

3 (C) ~~(f)~~—A payment of the tax shall be IS posted to the
4 computerized data base system using a transaction or receipt number
5 with the date of payment. A posting on the computerized data base
6 system is considered the entry of the fact and date of payment in
7 an indelible manner on the tax roll as required by section 46(2).

8 (D) ~~(g)~~—The computerized data base system has internal and
9 external security procedures sufficient to assure the integrity of
10 the system.

11 ~~—(h) The local tax collecting unit is capable of making~~
12 ~~available a posted computer printed tax roll.~~

13 (E) ~~(i)~~—The computerized data base system is compatible with
14 the system used by the county treasurer for the collection of
15 delinquent taxes.

16 (3) Not later than May 1 of the third year following the year
17 in which a local tax collecting unit begins using a computerized
18 data base system as the tax roll after approval under subsection
19 (1) and every 3 years thereafter, the local tax collecting unit
20 shall certify to the state tax commission that the requirements of
21 this section are being met.

22 (4) A county treasurer or local tax collecting unit that
23 provides a computer terminal for public viewing of the tax roll is
24 considered having the tax roll available for public inspection.

25 (5) If at any time the state treasurer or the state tax
26 commission believes that a local tax collecting unit is no longer
27 in compliance with subsection (2), the state treasurer or the state

1 tax commission shall provide written notice to that local tax
2 collecting unit. The notice shall specify the reasons that use of
3 the computerized data base system as the original tax roll is no
4 longer in compliance with subsection (2). The local tax collecting
5 unit has not less than 60 days to provide evidence that the local
6 tax collecting unit is in compliance with subsection (2) or that
7 action to correct noncompliance has been implemented. If, after the
8 expiration of 60 days, the state tax commission or the state
9 treasurer believes that the local tax collecting unit is not taking
10 satisfactory steps to correct a condition of noncompliance, the
11 state tax commission upon its own motion may, and upon the request
12 of the state treasurer shall, withdraw approval of the use of the
13 computerized data base system as the original tax roll. Proceedings
14 of the state tax commission under this subsection shall be in
15 accordance with rules for other proceedings of the commission
16 promulgated under the administrative procedures act of 1969, 1969
17 PA 306, MCL 24.201 to 24.328, and shall not be considered a
18 contested case.