

# HOUSE BILL NO. 5229

November 07, 2019, Introduced by Rep. Sheppard and referred to the Committee on Transportation.

A bill to amend 2011 PA 258, entitled  
"Municipal partnership act,"  
by amending section 7 (MCL 124.117).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 7. (1) Subject to subsection (3), the joint endeavor may  
2   levy a tax of not more than 5 mills on all taxable property in the  
3   areas served by the joint endeavor for the purpose of providing  
4   revenue to the joint endeavor.

5           (2) A proposal for a tax ~~shall~~**must** not be placed on the



1 ballot unless the proposal is adopted by a resolution of the  
 2 governing body of each ~~local government participating in the joint~~  
 3 ~~endeavor.~~**participant.**

4 (3) If a joint endeavor levies a millage under this section,  
 5 ~~each year the joint endeavor shall , as necessary, decrease the~~  
 6 ~~number of mills the joint endeavor levies to ensure that, with~~  
 7 ~~respect to each participating local government in the joint~~  
 8 ~~endeavor, the number of mills levied by a participating local~~  
 9 ~~government plus the~~ **not levy a** number of mills ~~levied by the joint~~  
 10 ~~endeavor will not exceed~~ **exceeding** the maximum number of mills that  
 11 ~~the participating local government~~ **a participant** is  
 12 constitutionally and statutorily authorized to levy under each of  
 13 the following:

14 (a) Section 6 of article IX of the state constitution of 1963.

15 (b) The property tax limitation act, 1933 PA 62, MCL 211.201  
 16 to 211.217a.

17 (c) Section 14(1)(m) of 1966 PA 293, MCL 45.514.

18 (d) Section 3(g) of the home rule city act, 1909 PA 279, MCL  
 19 117.3.

20 (e) Section 27(2) of the charter township act, 1947 PA 359,  
 21 MCL 42.27.

22 (f) Section 26(1)(i) of the home rule village act, 1909 PA  
 23 278, MCL 78.26.

24 (g) Section 1(2) of chapter IX of the general law village act,  
 25 1895 PA 3, MCL 69.1.

26 (h) Any other applicable millage limit enacted after ~~the~~  
 27 ~~effective date of this act.~~ **December 14, 2011.**

28 (4) **If a joint endeavor levies a millage under this section,**  
 29 **the number of mills levied by that joint endeavor does not count**



1 toward the constitutional or statutory number of mills limitation  
2 for each participant.

3 (5) ~~(4)~~—If only a portion of a local government is located in  
4 the service area of a joint endeavor, as described in the contract  
5 for the joint endeavor, only those electors residing in that  
6 portion of the local government located in the service area of the  
7 joint endeavor are eligible to vote on the ballot proposal for a  
8 tax and that tax ~~shall~~**must** only be levied against the property  
9 within that service area.

10 (6) ~~(5)~~—The proposal for a tax under this act may be submitted  
11 to a vote of the electors ~~served by~~**residing within the service**  
12 **area of** the joint endeavor only at an even year general November  
13 election.

14 (7) ~~(6)~~—A ballot proposal for a tax ~~shall~~**must** comply with the  
15 requirements of section 24f of the general property tax act, 1893  
16 PA 206, MCL 211.24f. In addition, **if the tax levy will result in**  
17 **any reduction of taxes levied by a participant,** the ballot ~~shall~~  
18 **proposal must also** state the manner in which the tax levy will  
19 result in any reduction of taxes levied by ~~each local government~~  
20 ~~participating in the joint endeavor.~~**that participant.**

21 (8) ~~(7)~~—The joint endeavor may levy a new tax or the increase  
22 of an existing tax only if a majority of the electors in each ~~local~~  
23 ~~government served by the joint endeavor~~**participant** voting on the  
24 tax approve the tax. The joint endeavor may levy the renewal of an  
25 existing tax only if a majority of the electors ~~served by the joint~~  
26 ~~endeavor~~**within the service area of the joint endeavor** voting on  
27 the renewal of the existing tax approve the tax.

28 (9) ~~(8)~~—A tax authorized to be levied by a joint endeavor  
29 under this act ~~shall~~**must** be levied and collected at the same time



1 and in the same manner as provided by the general property tax act,  
2 1893 PA 206, MCL 211.1 to 211.155.

3 (10) A tax levied by a joint endeavor for transportation  
4 purposes and any specific tax attributable to that tax must not be  
5 attributed or transmitted to or retained or captured by any other  
6 governmental entity for purposes not authorized by this act or the  
7 contract providing for the joint endeavor.

8 (11) As used in this section, "participant" means a local  
9 government that is a party to a contract providing for a joint  
10 endeavor under this act.

