

HOUSE BILL No. 5226

October 16, 2001, Introduced by Rep. Birkholz and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 2132 (MCL 324.2132), as amended by 1998 PA
117.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2132. (1) The department may sell surplus land at a
2 price of not less than its fair market value as determined by an
3 appraisal.

4 (2) The sale of surplus land shall be conducted by the
5 department through 1 of the following methods:

6 (a) A sealed or oral bid public auction sale.

7 (b) A negotiated sale.

8 (3) The sale of surplus land through a sealed or oral bid
9 public auction sale shall be to the highest bidder. A bid shall

1 not be accepted for less than the fair market value of the
2 surplus land as determined by an appraisal.

3 (4) A notice of the sale of surplus land shall be given as
4 provided in section 2133.

5 (5) ~~The~~ EXCEPT AS PROVIDED IN SUBSECTION (7), THE proceeds
6 from the sale of surplus land shall be deposited into the fund.

7 (6) Surplus land that is sold under this subpart shall be
8 conveyed by quitclaim deed approved by the attorney general.

9 (7) IF SURPLUS LAND SOLD UNDER THIS SUBPART WAS PREVIOUSLY
10 WITHHELD FROM SALE BY THE DIRECTOR UNDER SECTION 131 OF THE GEN-
11 ERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.131, ALL OF THE FOL-
12 LOWING SHALL APPLY:

13 (A) THE PERSON WHO PURCHASES THE SURPLUS LAND SHALL, IN
14 ADDITION TO PAYING THE PURCHASE PRICE, PAY TO THE STATE A FEE OF
15 \$10.00 PER PARCEL PURCHASED, PLUS 5% OF THE PURCHASE PRICE, WHICH
16 SHALL BE TRANSMITTED TO THE STATE TREASURER FOR DEPOSIT IN THE
17 DELINQUENT PROPERTY TAX ADMINISTRATION FUND.

18 (B) EXCEPT AS PROVIDED IN SUBDIVISION (C), THE PROCEEDS OF
19 THE SALE OF THE SURPLUS LAND SHALL BE ACCOUNTED FOR AND PAID TO
20 THIS STATE AND TO THE COUNTY, LOCAL GOVERNMENTAL UNIT, AND SCHOOL
21 DISTRICT IN WHICH THE LAND IS SITUATED ON A PRO RATA BASIS
22 ACCORDING TO THEIR SEVERAL INTERESTS IN THE SURPLUS LAND ARISING
23 FROM THE NONPAYMENT OF TAXES AND SPECIAL ASSESSMENTS ON THE SUR-
24 PLUS LAND AS THAT INTEREST APPEARS IN THE OFFICES OF THE STATE,
25 COUNTY, AND LOCAL TAX COLLECTING UNIT TREASURERS.

26 (C) THE DEPARTMENT MAY DEDUCT FROM THE PROCEEDS OF THE SALE
27 OF SURPLUS LAND UNDER THIS SUBSECTION REASONABLE COSTS, NOT

1 EXCEEDING 25% OF THE SALE PROCEEDS, PAID FOR MAINTAINING THE
2 SURPLUS LAND IN A CONDITION THAT PROTECTS THE PUBLIC HEALTH,
3 SAFETY, AND WELFARE.