

HOUSE JOINT RESOLUTION E

January 22, 2009, Introduced by Reps. LeBlanc and Hammel and referred to the Committee on Government Operations.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX, to limit the increase in taxable value of real property under certain circumstances.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to limit the increase in taxable value of real property under certain circumstances, is proposed, agreed to, and submitted to the people of the state:

ARTICLE IX

Sec. 3. The legislature shall provide for the uniform general ad valorem taxation of real and tangible personal property not

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1 exempt by law except for taxes levied for school operating
2 purposes. The legislature shall provide for the determination of
3 true cash value of such property; the proportion of true cash value
4 at which such property shall be uniformly assessed, which shall
5 not, after January 1, 1966, exceed 50 percent; and for a system of
6 equalization of assessments. For taxes levied in 1995 and each year
7 thereafter, the legislature shall provide that the taxable value of
8 each parcel of property adjusted for additions and losses, shall
9 not increase each year by more than the increase in the immediately
10 preceding year in the general price level, as defined in section 33
11 of this article, or 5 percent, whichever is less until ownership of
12 the parcel of property is transferred. **FOR TAXES LEVIED AFTER 2008,**
13 **THE LEGISLATURE SHALL PROVIDE THAT IF A PROPERTY'S ASSESSED VALUE**
14 **HAS INCREASED BY LESS THAN BOTH THE GENERAL PRICE LEVEL AND 5**
15 **PERCENT, ADJUSTED FOR ADDITIONS AND LOSSES, THE PROPERTY'S TAXABLE**
16 **VALUE IN THE IMMEDIATELY SUCCEEDING YEAR, ADJUSTED FOR ADDITIONS**
17 **AND LOSSES, SHALL INCREASE BY THAT SAME PERCENTAGE INCREASE IN THE**
18 **PROPERTY'S ASSESSED VALUE. FOR TAXES LEVIED AFTER 2008, THE**
19 **LEGISLATURE SHALL PROVIDE THAT IF A PROPERTY'S ASSESSED VALUE HAS**
20 **DECREASED, ADJUSTED FOR ADDITIONS AND LOSSES, THE PROPERTY'S**
21 **TAXABLE VALUE IN THE IMMEDIATELY SUCCEEDING YEAR, ADJUSTED FOR**
22 **ADDITIONS AND LOSSES, SHALL NOT INCREASE.** When ownership of the
23 parcel of property is transferred as defined by law, the parcel
24 shall be assessed at the applicable proportion of current true cash
25 value. The legislature may provide for alternative means of
26 taxation of designated real and tangible personal property in lieu
27 of general ad valorem taxation. Every tax other than the general ad

1 valorem property tax shall be uniform upon the class or classes on
2 which it operates. A law that increases the statutory limits in
3 effect as of February 1, 1994 on the maximum amount of ad valorem
4 property taxes that may be levied for school district operating
5 purposes requires the approval of 3/4 of the members elected to and
6 serving in the Senate and in the House of Representatives.

7 Resolved further, That the foregoing amendment shall be
8 submitted to the people of the state at the next general election
9 in the manner provided by law.