

HOUSE BILL No. 5220

December 13, 2011, Introduced by Reps. Knollenberg and Tyler and referred to the Committee on Tax Policy.

A bill to amend 1973 PA 186, entitled
"Tax tribunal act,"
(MCL 205.701 to 205.779) by adding section 62b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 62B. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,
2 AFTER A PETITIONER HAS FILED A PETITION UNDER THIS CHAPTER AND THE
3 RESPONDENT LOCAL TAX COLLECTING UNIT HAS FILED AN ANSWER TO THE
4 PETITION, A PETITIONER MAY REQUEST AN INFORMAL SETTLEMENT
5 CONFERENCE AS PROVIDED IN THIS SECTION.

6 (2) A PETITIONER SHALL SUBMIT A WRITTEN REQUEST FOR AN
7 INFORMAL SETTLEMENT CONFERENCE TO THE LOCAL TAX COLLECTING UNIT AND
8 SHALL FILE A COPY OF THAT WRITTEN REQUEST WITH THE RESIDENTIAL
9 PROPERTY AND SMALL CLAIMS DIVISION. THE LOCAL TAX COLLECTING UNIT
10 SHALL SCHEDULE AN INFORMAL SETTLEMENT CONFERENCE WITHIN 60 DAYS

1 AFTER RECEIPT OF THE WRITTEN REQUEST. THE INFORMAL SETTLEMENT
2 CONFERENCE SHALL BE HELD AT THE OFFICES OF THE LOCAL TAX COLLECTING
3 UNIT. IF THE LOCAL TAX COLLECTING UNIT DOES NOT SCHEDULE AN
4 INFORMAL SETTLEMENT CONFERENCE WITHIN 60 DAYS AFTER RECEIPT OF THE
5 WRITTEN REQUEST, THE PETITIONER MAY FILE A MOTION WITH THE
6 RESIDENTIAL PROPERTY AND SMALL CLAIMS DIVISION FOR AN ORDER TO
7 COMPEL THE INFORMAL SETTLEMENT CONFERENCE. IF THE LOCAL TAX
8 COLLECTING UNIT DOES NOT SCHEDULE AN INFORMAL SETTLEMENT CONFERENCE
9 AFTER RECEIPT OF THE ORDER TO COMPEL THE INFORMAL SETTLEMENT
10 CONFERENCE, THE RESIDENTIAL PROPERTY AND SMALL CLAIMS DIVISION
11 SHALL SCHEDULE AN EXPEDITED DEFAULT HEARING.

12 (3) AT THE INFORMAL SETTLEMENT CONFERENCE, THE PETITIONER AND
13 THE LOCAL TAX COLLECTING UNIT MAY ENTER INTO A STIPULATION FOR
14 JUDGMENT. THE STIPULATION FOR JUDGMENT SHALL BE FILED WITH THE
15 RESIDENTIAL PROPERTY AND SMALL CLAIMS DIVISION. THE RESIDENTIAL
16 PROPERTY AND SMALL CLAIMS DIVISION SHALL REVIEW THE STIPULATION FOR
17 JUDGMENT TO DETERMINE IF THE STIPULATION FOR JUDGMENT SHALL BE
18 ADOPTED AS A FINAL ORDER. UPON A SHOWING OF GOOD CAUSE OR AT THE
19 RESIDENTIAL PROPERTY AND SMALL CLAIMS DIVISION'S DISCRETION, THE
20 RESIDENTIAL PROPERTY AND SMALL CLAIMS DIVISION MAY REJECT THE
21 PROPOSED STIPULATION FOR JUDGMENT.

22 (4) IF THE PETITIONER AND THE LOCAL TAX COLLECTING UNIT DO NOT
23 AGREE TO A STIPULATION FOR JUDGMENT OR IF THE RESIDENTIAL PROPERTY
24 AND SMALL CLAIMS DIVISION REJECTS THE PROPOSED STIPULATION FOR
25 JUDGMENT, THE PETITIONER'S APPEAL SHALL CONTINUE AS PROVIDED IN
26 THIS ACT.

27 (5) THIS SECTION DOES NOT APPLY TO THE DENIAL OF A CLAIM FOR

1 EXEMPTION OF A PRINCIPAL RESIDENCE UNDER SECTION 7CC(8) OR (11) OF
2 THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.7CC.