

STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2014

Introduced by Reps. Bumstead, Brown, Schmidt, Callton, Pscholka, Santana and Potvin

ENROLLED HOUSE BILL No. 5398

AN ACT to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," (MCL 211.1 to 211.155) by adding section 78r:

The People of the State of Michigan enact:

Sec. 78r. (1) A foreclosing governmental unit for a county other than this state may acquire property owned by this state, the federal government, or other governmental entity to facilitate the sale of tax reverted property under section 78m with the consent of this state, the federal government, or other governmental entity that owns the property. Methods of acquisition may include, but are not limited to, an exchange of property owned by the county for property of approximately equal value that is owned by this state, the federal government, or other governmental entity. For purposes of this subsection, "governmental entity" includes an authority.

(2) If the foreclosing governmental unit for a county is not this state, an authority may, with the consent of the foreclosing governmental unit, convey real property owned by the authority to the foreclosing governmental unit as provided in section 7 of the land bank fast track act, 2003 PA 258, MCL 124.757, including for no monetary consideration.

(3) The conveyance of property to a foreclosing governmental unit under subsection (1) or (2), costs incurred by the foreclosing governmental unit relating to that property, and a subsequent sale or transfer of that property by the foreclosing governmental unit shall be deemed to represent a fair exchange of value for value.

(4) A party to a conveyance under subsection (1) or (2) shall execute and record all documents necessary to effectuate the conveyance, including, but not limited to, a quitclaim deed or affidavit of jurisdictional transfer with the register of deeds in the county in which the property is located.

(5) Property acquired by a foreclosing governmental unit under subsection (1) or (2) shall be offered for sale by the foreclosing governmental unit at a property sale under section 78m(2) and may be offered for sale as a group with 1 or more other parcels under section 78m(2). Property acquired by a foreclosing governmental unit under subsection (1) or (2) may not be conveyed or transferred to a city, village, township, or county under section 78m(1) or (3). Any net proceeds from the sale of property acquired by a foreclosing governmental unit under subsection (1) or (2) shall be deposited into the account designated under section 78m(8) as the delinquent tax property sales proceeds for the year in which the property is sold by the foreclosing governmental unit.

(6) This section does not alter the powers, duties, functions, or responsibilities of an authority under the land bank fast track act, 2003 PA 258, MCL 124.751 TO 124.774.

(7) As used in this section, "authority" means a land bank fast track authority created under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor