

REPRINT

SUBSTITUTE FOR

HOUSE BILL NO. 5309

(As passed the House, October 30, 1997)

A bill to amend 1893 PA 206, entitled
"The general property tax act,"
by amending section 36 (MCL 211.36), as amended by 1994 PA 343.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 36. (1) The township clerk of each township, on or
2 before September 30 of each year, shall make and deliver to the
3 supervisor of the clerk's township and to the county clerk, a
4 certified copy of all statements and certificates on file and of
5 all records of any vote or resolution in the clerk's office
6 authorizing or directing money to be raised in the township by
7 taxation for township, school, highway, drain, and all other pur-
8 poses, together with a statement of the aggregate amount to be
9 raised. However, if the issuance of bonds or notes or the levy
10 of taxes for school purposes has been approved by the electors
11 before September 30, this subsection does not preclude delivery

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1 by the clerk after September 30 of a resolution authorizing
2 additional millage to be levied in the year voted. The clerk
3 shall present the copies to the county board of commissioners at
4 its annual meeting and file the copies in the clerk's office.
5 The county board of commissioners shall not levy in the year
6 voted a tax levy voted on or after September 30. This subsection
7 does not apply if 1 of subsections (2) through (4) applies.

8 (2) The amount of taxes that are to be levied for school
9 purposes in a school district, an intermediate school district,
10 or community or junior college district that holds an election on
11 or after September 30 and on or before November 15, or that holds
12 a second millage election under this subsection allowable pursu-
13 ant to subsection (3) on or before December 7, and that are
14 approved, shall be certified for the calendar year in which the
15 election is held, only if 1 of the following applies:

16 (a) For a school district, a school millage in that district
17 has been defeated in a prior election in the same calendar year.

18 (b) For a school district, the school millage election is
19 held in November on the date that school district elects its
20 board members.

21 (c) For a community or junior college district, a community
22 or junior college millage in that district has been defeated in a
23 prior election in the same calendar year.

24 (d) For an intermediate school district, the district has a
25 population greater than 1,400,000.

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1 (e) For an intermediate school district with a population of
2 less than 1,400,000, the millage election is held on or before
3 October 15.

4 (3) Except as otherwise provided in this subsection, a
5 school district, an intermediate school district, or a community
6 or junior college district shall not conduct more than 1 millage
7 election pursuant to subsection (2). If a district's operating
8 revenue is less than the total operating revenue for the previous
9 school year, the district may hold a second school millage elec-
10 tion pursuant to subsection (2) on or before December 7.

11 (4) Notwithstanding subsections (2) and (3), AND EXCEPT AS
12 OTHERWISE PROVIDED IN THIS SUBSECTION, the amount of taxes that
13 are to be levied for any purpose by a taxing unit that holds an
14 election in any year on or before the first Tuesday after the
15 first Monday in November and that are approved by the electors of
16 that taxing unit shall be certified for that calendar year. IN
17 1997 ONLY, THE AMOUNT OF TAXES THAT ARE TO BE LEVIED FOR ANY PUR-
18 POSE BY A TAXING UNIT THAT HOLDS AN ELECTION IN ANY YEAR ON OR
19 BEFORE NOVEMBER 30 AND THAT ARE APPROVED BY THE ELECTORS OF THAT
20 TAXING UNIT SHALL BE CERTIFIED FOR THAT CALENDAR YEAR.

21 (5) After a millage is certified pursuant to subsections (2)
22 through (4), the appropriate county board of commissioners shall
23 meet and direct or amend its direction for the spread of millages
24 by local units in the county pursuant to the certification or
25 amended certification. If a millage is certified pursuant to
26 subsection (4) for library purposes, if a taxing unit requests by
27 resolution, the county board of commissioners for the county in

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1 which the library is located also may reduce or eliminate the
2 millage previously authorized or dedicated for library purposes
3 to be levied by that taxing unit for that year and direct the
4 reduction or removal of the levy to be spread by the local units
5 in the county.

6 (6) The reasonable and actual expenses incurred by a town-
7 ship, county, or city in assessing and collecting the school dis-
8 trict, intermediate school district, or community or junior col-
9 lege district taxes levied and spread pursuant to an election
10 under subsection (2) or (3) that is held after September 30, to
11 the extent these expenses are in addition to the expense of col-
12 lection and assessing any other taxes at the same time and exceed
13 the amount of any fees imposed for the collection of these taxes,
14 shall be billed to and paid by the school district, intermediate
15 school district, or community or junior college district.