

HOUSE BILL No. 4192

February 13, 2001, Introduced by Reps. Ehardt, Bernero, Richardville, Julian, Pappageorge, Meyer, Vander Roest and Mortimer and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1951 PA 33, entitled

"An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts,"

by amending section 6a (MCL 41.806a), as added by 1990 PA 102.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6a. (1) The legislative body of a municipality
2 providing emergency police or fire service or the legislative
3 bodies of municipalities acting jointly to provide such a service

1 pursuant to this act may authorize by ordinance the collection of
2 fees for the service.

3 (2) The township board of a township or the county board of
4 commissioners of a county providing emergency ambulance and inha-
5 lator service alone or jointly with another municipality and the
6 legislative body of such a municipality may authorize by ordi-
7 nance the collection of fees for the service.

8 (3) AN ORDINANCE ADOPTED UNDER SUBSECTION (1) FOR FIRE SERV-
9 ICE ONLY OR SUBSECTION (2) FOR EMERGENCY AMBULANCE AND INHALATOR
10 SERVICE MAY AUTHORIZE THE LEGISLATIVE BODY OF A MUNICIPALITY OR
11 THE COUNTY BOARD OF COMMISSIONERS OF A COUNTY, AS APPLICABLE, TO
12 ANNUALLY CERTIFY FEES FOR SERVICE DELINQUENT FOR 3 MONTHS OR MORE
13 TO THE PROPER TAX COLLECTING OFFICER TO BE ENTERED IN A SEPARATE
14 COLUMN ON THE NEXT TAX ROLL AGAINST THE DESIGNATED PROPERTY OWNED
15 BY THE PERSON RESPONSIBLE FOR PAYMENT OF THE FEE FOR SERVICE AND
16 PROVIDE THAT AMOUNTS ENTERED ON THE TAX ROLL BECOME A LIEN
17 AGAINST THE DESIGNATED PROPERTY OWNED BY THE PERSON RESPONSIBLE
18 FOR PAYMENT OF THE FEE FOR SERVICE. A DELINQUENT FEE SHALL NOT
19 BE ENTERED ON THE TAX ROLL AGAINST, AND A LIEN SHALL NOT BE
20 IMPOSED ON, PROPERTY OWNED BY A PERSON WHO IS NOT RESPONSIBLE FOR
21 PAYMENT OF THE FEE FOR SERVICE.

22 (4) IF A FEE FOR SERVICE ENTERED ON THE TAX ROLL PURSUANT TO
23 SUBSECTION (3) IS NOT PAID BEFORE MARCH 1, THE FEE FOR SERVICE
24 SHALL BE RETURNED AS DELINQUENT TO THE COUNTY TREASURER AND COL-
25 LECTED IN THE SAME MANNER AS PROVIDED FOR DELINQUENT TAXES UNDER
26 THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.1 TO 211.157.
27 HOWEVER, PROPERTY IS NOT SUBJECT TO FORFEITURE, FORECLOSURE, AND

1 SALE UNDER THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.1
2 TO 211.157, FOR NONPAYMENT OF THE FEE FOR SERVICE UNLESS THE
3 PROPERTY IS ALSO SUBJECT TO FORFEITURE, FORECLOSURE, AND SALE FOR
4 DELINQUENT PROPERTY TAXES.

5 (5) SUBSECTIONS (3) AND (4) DO NOT LIMIT THE AUTHORITY OF
6 THE MUNICIPALITY OR COUNTY TO COLLECT A FEE FOR SERVICE BY ANY
7 OTHER MEANS AUTHORIZED BY LAW FOR THE COLLECTION OF A DEBT.

8 (6) AS USED IN THIS SECTION:

9 (A) "DESIGNATED PROPERTY" MEANS REAL PROPERTY FOR WHICH FIRE
10 SERVICE WAS PROVIDED OR AT WHICH EMERGENCY AMBULANCE AND INHALA-
11 TOR SERVICES WERE PROVIDED.

12 (B) "EMERGENCY AMBULANCE AND INHALATOR SERVICES" INCLUDES
13 MEDICAL FIRST RESPONSE LIFE SUPPORT SERVICES PROVIDED BY A FIRE
14 DEPARTMENT.

15 (C) "FIRE SERVICE" MEANS FIREFIGHTING SERVICES AND DOES NOT
16 INCLUDE MEDICAL FIRST RESPONSE LIFE SUPPORT SERVICES.

17 (D) "MEDICAL FIRST RESPONSE LIFE SUPPORT" MEANS THAT TERM AS
18 DEFINED IN SECTION 20906 OF THE PUBLIC HEALTH CODE, 1978 PA 368,
19 MCL 333.20906.

20 (E) "PERSON RESPONSIBLE FOR PAYMENT OF THE FEE FOR SERVICE"
21 MEANS 1 OF THE FOLLOWING:

22 (i) FOR FIRE SERVICE, AN OWNER OF THE DESIGNATED PROPERTY.

23 (ii) FOR EMERGENCY AMBULANCE AND INHALATOR SERVICES, AN
24 OWNER OF THE DESIGNATED PROPERTY IF THE PERSON WHO RECEIVED THE
25 EMERGENCY AMBULANCE AND INHALATOR SERVICES WAS AN OWNER OF THE
26 DESIGNATED PROPERTY OR WAS A DEPENDENT OF AN OWNER OF THE
27 DESIGNATED PROPERTY.