

ALTERNATIVE DATES FOR LOCAL BOARDS OF REVIEW

House Bill 4211 (Substitute H-2) First Analysis (4-3-03)

Sponsor: Rep. Bruce Caswell
Committee: Tax Policy

THE APPARENT PROBLEM:

Under the General Property Tax Act, local boards of review are required to meet on the second Monday in March, starting no earlier than 9 a.m. and no later than 3 p.m., and for at least six hours on that day, to hear appeals of property assessments. A local board must also meet for at least six hours during the remainder of the week, and hold at least three hours of its required sessions during the week after 6 p.m. Reportedly, there are some assessors in the state who assess property in several smaller townships in the state. Having all boards of review meet on the same day can be a hindrance to the assessor when he or she is trying to be present at the meetings of several boards. As a result, legislation has been introduced that would provide cities and townships with the authority to set alternative meeting dates for local boards of review.

THE CONTENT OF THE BILL:

House Bill 4211 would allow the governing body of a city or township, by ordinance or resolution, to authorize alternative starting dates in March for the board of review's initial meeting. The alternative meeting date could be either Tuesday or Wednesday following the second Monday in March (meaning the Tuesday or Wednesday immediately following the Monday on which the board of review is originally scheduled to initially meet).

MCL 211.30

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the bill would have no significant fiscal impact. (4-3-03)

ARGUMENTS:

For:

The current requirement that the local boards of review all conduct their initial meeting on the same days is rather problematic in those instances where

one assessor assesses the property of several townships. If the boards of review for the two or three townships each choose to meet at substantially the same time for their initial meeting, it is quite difficult for the assessor to be present at all of the meetings at one time. As such, the assessor may be unable to defend his or her assessment of a particular property that is subject to review by the board. In addition, the board may choose to withhold action on an appeal until it is provided with a response by the assessor, which would often occur at the inconvenience of the property owner, and essentially render the board's meeting useless. Permitting cities and townships to set alternative initial meeting times for their boards of review, then, would better enable them to work with one another and the assessors to find a time that is agreeable to all involved, and ensure that each appeal under review by the board is properly and sufficiently reviewed.

POSITIONS:

The Department of Treasury supports the bill. (4-2-03)

The Michigan Townships Association supports the bill. (4-2-03)

The Michigan Assessors Association supports the concept of the bill. (4-2-03)

Analyst: M. Wolf

■This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.