

HOUSE BILL No. 4119

January 22, 2009, Introduced by Reps. Angerer, Lori, Slezak, Switalski, Lipton, Gregory and Kennedy and referred to the Committee on Tax Policy.

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 59 (MCL 211.59), as amended by 2006 PA 626.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 59. (1) A person may pay the taxes, any 1 of the taxes, a
2 portion of the taxes specified by resolution of the county board of
3 commissioners, or if a specification is not made by a resolution of
4 the county board of commissioners, a portion of the taxes approved
5 by the county treasurer on a parcel or description of property
6 returned as delinquent, or on an undivided share of a parcel or
7 description of property returned as delinquent. For taxes levied on
8 real property before January 1, 1999 and for taxes levied on
9 personal property, the amount paid under this subsection shall

1 include interest computed from the March 1 after the taxes were
2 assessed at the rate of 1% per month or fraction of a month, except
3 as provided in section 89, and 4% of the delinquent taxes as a
4 county property tax administration fee that shall be a minimum of
5 \$1.00 per payment of delinquent taxes, except as provided in
6 section 89. Payment under this subsection shall be made to the
7 county treasurer of the county in which the property is forfeited
8 to a county treasurer pursuant to section 78g. The county treasurer
9 and the treasurer for the local tax collecting unit shall allocate
10 and distribute the taxes and interest paid proportionately among
11 the county or local tax collecting unit funds and the property tax
12 administration fee returned as delinquent under section 44(6) to
13 the treasurer of the local tax collecting unit who transmitted the
14 taxes returned as delinquent. For taxes levied before January 1,
15 1999, on all descriptions of property with unpaid taxes on the
16 October 1 before the time prescribed for the sale of a tax lien on
17 the property, an additional \$10.00 shall be charged for expenses,
18 which shall be a lien on the property. If collected, before January
19 1, 2006, \$5.00 of this expense charge shall be credited to a
20 restricted revenue fund of this state, to be known as the
21 delinquent property tax administration fund, and after December 31,
22 2005 \$5.00 of this expense charge shall be deposited in the land
23 reutilization fund created in section 78n, to reimburse this state
24 for the cost of publishing the lists of property and other
25 expenses, and \$5.00 shall belong to the general fund of the county
26 to reimburse the county for the expense incurred in preparing the
27 list of delinquent property for sale or forfeiture.

1 (2) For taxes levied before January 1, 1999, the property tax
2 administration fee paid to the county treasurer shall be credited
3 to the general fund of the county and the property tax
4 administration fee paid to the state treasurer shall be credited to
5 the land reutilization fund created in section 78n. Amounts
6 credited to the general fund of the county shall be used only for
7 the purposes specified in subsection (6).

8 (3) For taxes levied before January 1, 1999, and for taxes
9 levied after December 31, 1998, a county board of commissioners, by
10 resolution, may provide all of the following for taxes paid before
11 May 1 in the first year of delinquency for the ~~homestead property~~
12 **PRINCIPAL RESIDENCE** of a senior citizen, paraplegic, hemiplegic,
13 quadriplegic, eligible serviceman, eligible veteran, eligible
14 widow, totally and permanently disabled person, or blind person, as
15 those persons are defined in chapter 9 of the income tax act of
16 1967, 1967 PA 281, MCL 206.501 to 206.532, if **EITHER** a claim is
17 made before February 15 for the credit provided by chapter 9 of the
18 income tax act of 1967, 1967 PA 281, MCL 206.501 to 206.532, if
19 that claimant presents a copy of the form filed for that credit to
20 the county treasurer, and if that claimant has not received the
21 credit before March 1; **OR IF A CLAIM WAS MADE IN THE IMMEDIATELY**
22 **PRECEDING TAX YEAR FOR THE CREDIT PROVIDED BY CHAPTER 9 OF THE**
23 **INCOME TAX ACT OF 1967, 1967 PA 281, MCL 206.501 TO 206.532, AND IF**
24 **THAT CLAIMANT RESIDES AT THE SAME PRINCIPAL RESIDENCE AS CLAIMED IN**
25 **THE IMMEDIATELY PRECEDING TAX YEAR:**

26 (a) Any interest, fee, or penalty in excess of the interest,
27 fee, or penalty that would have been added if the tax had been paid

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1 before February 15 is waived.

2 (b) Interest paid under subsection (1) or section 89(1)(a) is
3 waived unless the interest is pledged to the repayment of
4 delinquent tax revolving fund notes or payable to the county
5 delinquent tax revolving fund, in which case the interest shall be
6 refunded from the general fund of the county.

7 (c) The county property tax administration fee is waived.

8 (4) The treasurer of the local tax collecting unit shall
9 indicate on the delinquent tax roll if a 1% property tax
10 administration fee was added to taxes collected before February 15.

11 (5) The fees authorized and collected under this section and
12 credited to the delinquent property tax administration fund shall
13 be used by the department of treasury to pay expenses incurred in
14 the administration of this act.

15 (6) The county property tax administration fee shall be used
16 by the county to offset the costs incurred in and ancillary to
17 collecting delinquent property taxes and for purposes authorized by
18 sections 87b and 87d.

<<Enacting section 1. This amendatory act does not take effect
unless all of the following bills of the 95th Legislature are enacted
into law:

(a) Senate Bill No. 796.

(b) Senate Bill No. 889.>>