

HOUSE BILL No. 4835

August 20, 2015, Introduced by Rep. Franz and referred to the Committee on Local Government.

A bill to amend 1893 PA 206, entitled
"The general property tax act,"
by amending section 28 (MCL 211.28), as amended by 2006 PA 143.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 28. (1) Those electors of the township appointed by the
2 township board shall constitute a board of review for the township.
3 At least 2/3 of the members shall be property taxpayers of the
4 township. Members appointed to the board of review shall serve for
5 terms of 2 years beginning at noon on January 1 of each odd-
6 numbered year. Each member of the board of review shall qualify by
7 taking the constitutional oath of office within 10 days after
8 appointment. The township board may fill any vacancy that occurs in
9 the membership of the board of review. A member of the township

1 board is not eligible to serve on the board or to fill any vacancy.
2 A spouse, mother, father, sister, brother, son, or daughter,
3 including an adopted child, of the assessor is not eligible to
4 serve on the board or to fill any vacancy. A majority of the board
5 of review constitutes a quorum for the transaction of business, but
6 a lesser number may adjourn and a majority vote of those present
7 shall decide all questions. At least 2 members of a 3-member board
8 of review shall be present to conduct any business or hearings of
9 the board of review.

10 (2) The township board may appoint 3, 6, or 9 electors of the
11 township, who shall constitute a board of review for the township.
12 If 6 or 9 members are appointed as provided in this subsection, the
13 membership of the board of review shall be divided into board of
14 review committees consisting of 3 members each for the purpose of
15 hearing and deciding issues protested ~~pursuant to~~ **UNDER** section 30.
16 Two of the 3 members of a board of review committee constitute a
17 quorum for the transaction of the business of the committee. All
18 meetings of the members of the board of review and committees shall
19 be held during the same hours of the same day and at the same
20 location.

21 (3) A township board may appoint not more than 2 alternate
22 members for the same term as regular members of the board of
23 review. Each alternate member shall be a property taxpayer of the
24 township. Alternate members shall qualify by taking the
25 constitutional oath of office within 10 days after appointment. The
26 township board may fill any vacancy that occurs in the alternate
27 membership of the board of review. A member of the township board

1 is not eligible to serve as an alternate member or to fill any
2 vacancy. A spouse, mother, father, sister, brother, son, or
3 daughter, including an adopted child, of the assessor is not
4 eligible to serve as an alternate member or to fill any vacancy. An
5 alternate member may be called to perform the duties of a regular
6 member of the board of review in the absence of a regular member.
7 An alternate member may also be called to perform the duties of a
8 regular member of the board of review for the purpose of reaching a
9 decision in issues protested in which a regular member has
10 abstained for reasons of conflict of interest.

11 (4) AN INDIVIDUAL APPOINTED TO SERVE AS A REGULAR OR ALTERNATE
12 MEMBER OF A BOARD OF REVIEW FOR A TOWNSHIP, OR TO FILL A VACANCY IN
13 THE REGULAR OR ALTERNATE MEMBERSHIP OF THAT BOARD OF REVIEW, MAY,
14 AFTER NOTICE AND HEARING, BE REMOVED FROM THAT BOARD OF REVIEW BY
15 THE DEPARTMENT OF TREASURY FOR MALFEASANCE, MISFEASANCE, OR
16 NONFEASANCE IN OFFICE. NOTWITHSTANDING THE DEPARTMENT OF TREASURY'S
17 AUTHORITY TO REMOVE A MEMBER OF A BOARD OF REVIEW AS PROVIDED IN
18 THIS SUBSECTION, THE TOWNSHIP BOARD HAS THE AUTHORITY TO REMOVE A
19 MEMBER OF THE BOARD OF REVIEW WITHOUT CAUSE.

20 (5) ~~(4)~~—The size, composition, and manner of appointment of
21 the board of review of a city may be prescribed by the charter of a
22 city. In the absence of or in place of a charter provision, the
23 governing body of the city, by ordinance, may establish the city
24 board of review in the same manner and for the same purposes as
25 provided by this section for townships. A MEMBER OF THE BOARD OF
26 REVIEW FOR A CITY, WHETHER APPOINTED AS A REGULAR MEMBER OR
27 OTHERWISE, MAY, AFTER NOTICE AND HEARING, BE REMOVED FROM THAT

1 BOARD OF REVIEW BY THE DEPARTMENT OF TREASURY FOR MALFEASANCE,
2 MISFEASANCE, OR NONFEASANCE IN OFFICE. THE DEPARTMENT OF TREASURY'S
3 AUTHORITY TO REMOVE A MEMBER OF A BOARD OF REVIEW AS PROVIDED IN
4 THIS SUBSECTION DOES NOT PREEMPT OR OTHERWISE LIMIT ANY OTHER BASIS
5 FOR REMOVAL THAT MAY BE SET FORTH IN THE CHARTER OF A CITY OR
6 ADOPTED BY ORDINANCE OF ITS GOVERNING BODY.

7 (6) ~~(5)~~—A majority of the entire board of review membership
8 shall indorse the assessment roll as provided in section 30. The
9 duties and responsibilities of the board contained in section 29
10 shall be carried out by the entire membership of the board of
11 review and a majority of the membership constitutes a quorum for
12 those purposes.