

HOUSE BILL No. 5195

October 31, 2017, Introduced by Reps. Chang, Neeley, Garrett, Wittenberg and Howrylak
and referred to the Committee on Tax Policy.

A bill to amend 1893 PA 206, entitled
"The general property tax act,"
by amending section 78a (MCL 211.78a), as amended by 2014 PA 499.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 78a. (1) For taxes levied after December 31, 1998, all
2 property returned for delinquent taxes, and upon which taxes,
3 interest, penalties, and fees remain unpaid after the property is
4 returned as delinquent to the county treasurers of this state under
5 this act, is subject to forfeiture, foreclosure, and sale for the
6 enforcement and collection of the delinquent taxes as provided in
7 section 78, this section, and sections 78b to 79a. As used in
8 section 78, this section, and sections 78b to 79a, "taxes" includes
9 interest, penalties, and fees imposed before the taxes become

1 delinquent and unpaid special assessments or other assessments that
2 are due and payable up to and including the date of the foreclosure
3 hearing under section 78k. **HOWEVER, "TAXES" DOES NOT INCLUDE FEES**
4 **OR CHARGES OF ANY TYPE IMPOSED AFTER DECEMBER 31, 2015 FOR THE**
5 **PROVISION OF WATER TO PROPERTY USED FOR RESIDENTIAL PURPOSES.**

6 (2) On March 1 in each year, taxes levied in the immediately
7 preceding year that remain unpaid shall be returned as delinquent
8 for collection. However, if the last day in a year that taxes are
9 due and payable before being returned as delinquent is on a
10 Saturday, Sunday, or legal holiday, the last day taxes are due and
11 payable before being returned as delinquent is on the next business
12 day and taxes levied in the immediately preceding year that remain
13 unpaid shall be returned as delinquent on the immediately
14 succeeding business day. Except as otherwise provided in section 79
15 for certified abandoned property, property delinquent for taxes
16 levied in the second year preceding the forfeiture under section
17 78g or in a prior year to which this section applies shall be
18 forfeited to the county treasurer for the total of the unpaid
19 taxes, interest, penalties, and fees for those years as provided
20 under section 78g.

21 (3) A county property tax administration fee of 4% and, except
22 as provided in section 78g(3)(c), interest computed at a
23 noncompounded rate of 1% per month or fraction of a month on the
24 taxes that were originally returned as delinquent, computed from
25 the date that the taxes originally became delinquent, shall be
26 added to property returned as delinquent under this section. A
27 county property tax administration fee provided for under this

1 subsection shall not be less than \$1.00.

2 (4) Any person with an unrecorded property interest or any
3 other person who wishes at any time to receive notice of the return
4 of delinquent taxes on a parcel of property may pay an annual fee
5 not to exceed \$5.00 by February 1 to the county treasurer and
6 specify the parcel identification number, the address of the
7 property, and the address to which the notice shall be sent.
8 Holders of any undischarged mortgages wishing to receive notice of
9 the return of delinquent taxes on a parcel or parcels of property
10 may provide a list of such parcels in a form prescribed by the
11 county treasurer and pay an annual fee not to exceed \$1.00 per
12 parcel to the county treasurer and specify for each parcel the
13 parcel identification number, the address of the property, and the
14 address to which the notice should be sent. The county treasurer
15 shall notify the person or holders of undischarged mortgages if
16 delinquent taxes on the property or properties are returned within
17 that year.

18 (5) Notwithstanding any charter provision to the contrary, the
19 governing body of a local governmental unit that collects
20 delinquent taxes may establish for any property, by ordinance,
21 procedures for the collection of delinquent taxes and the
22 enforcement of tax liens and the schedule for the forfeiture or
23 foreclosure of delinquent tax liens. The procedures and schedule
24 established by ordinance shall conform at a minimum to those
25 procedures and schedules established under sections 78a to 78l,
26 except that those taxes subject to a payment plan approved by the
27 treasurer of the local governmental unit as of July 1, 1999 shall

- 1 not be considered delinquent if payments are not delinquent under
- 2 that payment plan.