

HOUSE BILL NO. 5221

July 01, 2021, Introduced by Reps. Ellison and Rabhi and referred to the Committee on Government Operations.

A bill to amend 1976 PA 225, entitled

"An act to defer the collection of special assessments on homestead properties; to provide for conditions of eligibility for such a deferment; to prescribe the powers and duties of the department of treasury, local assessing officers, and local collecting officers; to provide for the advancement of moneys by the state to indemnify special assessment districts for losses from deferment of collections; to provide for the advancement of money by the state to an owner for the repayment of loans used by the owner to pay special assessments; to provide for the collection of deferred special assessments and interest thereon, and the disposition of these collections; to make an appropriation; and to prescribe

penalties,"

by amending section 4 (MCL 211.764), as amended by 1980 PA 403.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. An owner may apply to the local assessing officer for
2 deferment of the payment of special assessments on the owner's
3 homestead. The application ~~shall~~**must** be made upon an affidavit
4 form to be furnished and made available by the department at
5 convenient locations throughout ~~the~~**this** state. The affidavit form
6 ~~shall~~**must** contain the following statement in 10-point boldface
7 type located immediately above the affiant's signature: "If this
8 deferment is authorized the state will place a lien on your
9 property." A person making a false affidavit for the purpose of
10 obtaining deferment of special assessments under this act is guilty
11 of perjury. If the homestead is owned jointly by ~~husband and wife,~~
12 **a married couple**, each spouse shall sign and file the affidavit. If
13 the homestead is encumbered by a mortgage or an unpaid balance on a
14 land contract, a deferment of special assessments ~~shall~~**must** not be
15 made without the written consent of the mortgagee or the land
16 contract vendor, which ~~shall~~**must** be filed with the affidavit. The
17 affidavit ~~shall~~**must** be filed with the local assessing officer at
18 least 30 days after the due date of a special assessment or
19 installment of a special assessment for which deferment is
20 requested.

21 Enacting section 1. This amendatory act does not take effect
22 unless Senate Joint Resolution ____ or House Joint Resolution ____
23 (request no. 02344'21) of the 101st Legislature becomes a part of
24 the state constitution of 1963 as provided in section 1 of article
25 XII of the state constitution of 1963.