TAX REVERTED CLEAN TITLE ACT

Act 260 of 2003

AN ACT to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to clarify the ownership of certain parcels of property; to prescribe the powers and duties of certain local government officials; and to provide penalties.

History: 2003, Act 260, Imd. Eff. Jan. 5, 2004

The People of the State of Michigan enact:

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211.1021 Short title.

Sec. 1.

This act shall be known and may be cited as the "tax reverted clean title act".

History: 2003, Act 260, Imd. Eff. Jan. 5, 2004

211.1022 Definitions.

Sec. 2.

As used in this act:

(a) "Authority" means a land bank fast track authority created under the land bank fast track act.

(b) "Commission" means the state tax commission created by 1927 PA 360, MCL 209.101 to 209.107.

(c) "Eligible tax reverted property" means property that is exempt under section 7gg of the general property tax act, 1893 PA 206, MCL 211.7gg.

(d) "Eligible tax reverted property specific tax" means the specific tax levied under this act.

(e) "Principal residence" means that term as defined in section 7dd of the general property tax act, 1893 PA 206, MCL 211.7dd.

(f) "Taxable value" means the taxable value determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

History: 2003, Act 260, Imd. Eff. Jan. 5, 2004

211.1023 Eligible tax reverted property; tax exemption.

Sec. 3.

Eligible tax reverted property is exempt from ad valorem property taxes collected under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157, as provided under section 7gg of the general property tax act, 1893 PA 206, MCL 211.7gg.

History: 2003, Act 260, Imd. Eff. Jan. 5, 2004

211.1024 List of property sold; determination of value by local tax assessor.

Sec. 4.

(1) Not later than December 31 of each year, an authority shall provide a list of all property sold by the authority in that calendar year to the assessor of each local tax collecting unit in which the property sold by the authority is located.

(2) The assessor of each local tax collecting unit in which there is eligible tax reverted property shall determine annually as of December 31 the value and taxable value of each parcel of eligible tax reverted property and shall furnish that information to the legislative body of the local tax collecting unit.

History: 2003, Act 260, Imd. Eff. Jan. 5, 2004

211.1025 Eligible tax reverted property specific tax.

Sec. 5.

(1) Except as otherwise provided in section 5a, there is levied upon every owner of eligible tax reverted property a specific tax to be known as the eligible tax reverted property specific tax.

(2) The amount of the eligible tax reverted property specific tax in each year is the amount of tax that would have been collected on that parcel under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155, if that parcel was not exempt under section 3. An owner of eligible tax reverted property that is a principal residence may claim an exemption for that portion of the specific tax attributable to the tax levied by a local school district for school operating purposes to the extent provided under section 1211 of the revised school code, 1976 PA 451, MCL 380.1211, if an owner of that eligible tax reverted property claims or has claimed an exemption for the property as provided in section 7cc of the general property tax act, 1893 PA 206, MCL 211.7cc.

(3) The eligible tax reverted property specific tax shall be assessed, collected, and disbursed in accordance with this act.

(4) The eligible tax reverted property specific tax is an annual tax, payable at the same times, in the same installments, and to the same officer or officers as taxes imposed under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155, and the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, are payable. The eligible tax reverted property specific tax is subject to the same collection fee and interest as taxes imposed under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155. Except as otherwise provided in this section, the officer or officers shall disburse the eligible tax reverted property specific tax payments received by the officer or officers each year as follows:

(a) Fifty percent of the eligible tax reverted property specific tax to and among this state and cities, townships, villages, school districts, counties, or other taxing units, at the same times and in the same proportions as required by law for the disbursement of taxes collected under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

(b) Fifty percent of the eligible tax reverted property specific tax to the authority that sold or otherwise conveyed the property under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774, which sale or conveyance caused the property to be eligible tax reverted property. The eligible tax reverted property specific tax disbursed under this subdivision shall only be used by the authority for 1 or more of the following:

(i) For the purposes authorized under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774, including, but not limited to, costs to clear, quiet, or defend title to property held by the authority.

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(ii) To repay a loan made to the authority under section 2f of 1855 PA 105, MCL 21.142f.

(5) For intermediate school districts receiving state aid under sections 56, 62, and 81 of the state school aid act of 1979, 1979 PA 94, MCL 388.1656, 388.1662, and 388.1681, of the amount of eligible tax reverted property specific tax that would otherwise be disbursed to an intermediate school district, all or a portion, to be determined on the basis of the tax rates being utilized to compute the amount of state aid, shall be paid to the state treasury to the credit of the state school aid fund established by section 11 of article IX of the state constitution of 1963.

(6) The amount of eligible tax reverted property specific tax described in subsection (2) that would otherwise be disbursed to a local school district for school operating purposes shall be paid instead to the state treasury and credited to the state school aid fund established by section 11 of article IX of the state constitution of 1963.

(7) The officer or officers shall send a copy of the amount of disbursement made to each unit under this section to the commission on a form provided by the commission.

(8) Eligible tax reverted property located in a renaissance zone under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, is exempt from the eligible tax reverted property specific tax levied under this act to the extent and for the duration provided under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, except for that portion of the eligible tax reverted property specific tax attributable to a tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff. The eligible tax reverted property specific tax calculated under this subsection shall be disbursed proportionately to the taxing unit or units that levied the tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff.

(9) The eligible tax reverted property specific tax levied under this section becomes a lien on the eligible tax reverted property assessed on the same date that a tax becomes a lien on real property under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155. A lien for the eligible tax reverted property specific tax includes any applicable collection fee or interest. A lien under this subsection continues until paid.

(10) If the county treasurer consents, any unpaid eligible tax reverted property specific tax and any applicable collection fee or interest shall be returned as delinquent to the county treasurer at the same time taxes are returned as delinquent under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155. Except as otherwise provided in this subsection, eligible tax reverted property subject to an eligible tax reverted property specific tax returned as delinquent is subject to forfeiture, foreclosure, and sale at the same time and in the same manner as property subject to delinquent taxes under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155. If an eligible tax reverted property specific tax or any applicable collection fee or interest for an eligible tax reverted property has not been paid for 2 or more years on the date the eligible tax reverted property is returned as delinquent under this subsection, the eligible tax reverted property shall be forfeited to the county treasurer upon its return and is subject to foreclosure and sale at the same time and in the same manner as other property forfeited under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

History: 2003, Act 260, Imd. Eff. Jan. 5, 2004 ;-- Am. 2012, Act 222, Imd. Eff. June 28, 2012 ;-- Am. 2016, Act 151, Imd. Eff. June 9, 2016

211.1025a Exemption.

Sec. 5a.

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(1) The authority may exempt eligible tax reverted property from the eligible tax reverted property specific tax if the exemption will assist in the creation of jobs, investment, or other economic development benefits in the city, village, or township in which the eligible tax reverted property is located.

(2) Eligible tax reverted property exempt from the eligible tax reverted property specific tax under subsection (1) is subject to the collection of taxes under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

History: Add. 2012, Act 222, Imd. Eff. June 28, 2012

211.1026 Repealed. 2012, Act 222, Imd. Eff. June 28, 2012.

Compiler's Notes: The repealed section pertained to unpaid eligible tax reverted property specific taxes not subject to return as delinquent taxes.

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