

THE GENERAL PROPERTY TAX ACT (EXCERPT)
Act 206 of 1893

211.59 Payment of taxes on property returned as delinquent; interest and county property tax administration fee; allocation and distribution of taxes and interest; additional charge as lien on property; crediting expense charge to land reutilization fund and to general fund; reimbursement of state and county; disposition and use of county property tax administration fee; claim by certain persons for credit on taxes paid for principal property; indicating fee on delinquent tax roll; disposition and use of fees.

Sec. 59.

(1) A person may pay the taxes, any 1 of the taxes, a portion of the taxes specified by resolution of the county board of commissioners, or if a specification is not made by a resolution of the county board of commissioners, a portion of the taxes approved by the county treasurer on a parcel or description of property returned as delinquent, or on an undivided share of a parcel or description of property returned as delinquent. For taxes levied on real property before January 1, 1999 and for taxes levied on personal property, the amount paid under this subsection shall include interest computed from the March 1 after the taxes were assessed at the rate of 1% per month or fraction of a month, except as provided in section 89, and 4% of the delinquent taxes as a county property tax administration fee that shall be a minimum of \$1.00 per payment of delinquent taxes, except as provided in section 89. Payment under this subsection shall be made to the county treasurer of the county in which the property is forfeited to a county treasurer pursuant to section 78g. The county treasurer and the treasurer for the local tax collecting unit shall allocate and distribute the taxes and interest paid proportionately among the county or local tax collecting unit funds and the property tax administration fee returned as delinquent under section 44(6) to the treasurer of the local tax collecting unit who transmitted the taxes returned as delinquent. For taxes levied before January 1, 1999, on all descriptions of property with unpaid taxes on the October 1 before the time prescribed for the sale of a tax lien on the property, an additional \$10.00 shall be charged for expenses, which shall be a lien on the property. If collected, before January 1, 2006, \$5.00 of this expense charge shall be credited to a restricted revenue fund of this state, to be known as the delinquent property tax administration fund, and after December 31, 2005 \$5.00 of this expense charge shall be deposited in the land reutilization fund created in section 78n, to reimburse this state for the cost of publishing the lists of property and other expenses, and \$5.00 shall belong to the general fund of the county to reimburse the county for the expense incurred in preparing the list of delinquent property for sale or forfeiture.

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

(3) For taxes levied before January 1, 1999, and for taxes levied after December 31, 1998, a county board of commissioners, by resolution, may provide all of the following for taxes paid before May 1 in the first year of delinquency for the principal residence of a senior citizen, paraplegic, hemiplegic, quadriplegic, eligible serviceman, eligible veteran, eligible widow, totally and permanently disabled person, or blind person, as those persons are defined in chapter 9 of the income tax act of 1967, 1967 PA 281, MCL 206.501 to 206.532, if either a claim is made before February 15 for the credit provided by chapter 9 of the income tax act of 1967, 1967 PA 281, MCL 206.501 to 206.532, if that claimant presents a copy of the form filed for that credit to the county treasurer, and if that claimant has not received the credit before March 1; or if a claim was made in the immediately preceding tax year for the credit provided by chapter 9 of the income tax act of 1967, 1967 PA 281, MCL 206.501 to 206.532, and if that claimant resides at the same principal residence as claimed in the immediately preceding tax year:

(a) Any interest, fee, or penalty in excess of the interest, fee, or penalty that would have been added if the tax had been paid before February 15 is waived.

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

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

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

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

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

History: 1893, Act 206, Eff. June 12, 1893 ;-- CL 1897, 3882 ;-- Am. 1899, Act 262, Eff. Sept. 23, 1899 ;-- CL 1915, 4055 ;-- Am. 1921, Act 129, Eff. Aug. 18, 1921 ;-- CL 1929, 3450 ;-- Am. 1932, 1st Ex. Sess., Act 30, Imd. Eff. May 12, 1932 ;-- Am. 1933, Act 267, Imd. Eff. July 21, 1933 ;-- Am. 1934, 1st Ex. Sess., Act 21, Imd. Eff. Mar. 28, 1934 ;-- Am. 1937, Act 91, Imd. Eff. June 18, 1937 ;-- Am. 1939, Act 37, Imd. Eff. Apr. 13, 1939 ;-- Am. 1941, Act 234, Imd. Eff. June 16, 1941 ;-- CL 1948, 211.59 ;-- Am. 1954, Act 55, Eff. Aug. 13, 1954 ;-- Am. 1966, Act 244, Imd. Eff. July 11, 1966 ;-- Am. 1975, Act 334, Imd. Eff. Jan. 12, 1976 ;-- Am. 1976, Act 292, Imd. Eff. Oct. 25, 1976 ;-- Am. 1977, Act 166, Imd. Eff. Nov. 16, 1977 ;-- Am. 1980, Act 48, Imd. Eff. Mar. 21, 1980 ;-- Am. 1981, Act 162, Eff. Dec. 1, 1981 ;-- Am. 1982, Act 503, Imd. Eff. Dec. 31, 1982 ;-- Am. 1983, Act 254, Imd. Eff. Dec. 29, 1983 ;-- Am. 1999, Act 123, Eff. Oct. 1, 1999 ;-- Am. 2001, Act 97, Imd. Eff. July 30, 2001 ;-- Am. 2006, Act 626, Imd. Eff. Jan. 3, 2007 ;-- Am. 2010, Act 311, Imd. Eff. Dec. 21, 2010

Compiler's Notes: Section 2 of Act 503 of 1982 provides: "The designation, by this amendatory act, of collection fees as property tax administration fees is intended to clarify the legislative intent and cure any misinterpretation surrounding the fact that a "collection fee" is imposed to cover all costs necessary and incident to the collection of property taxes, including the costs of assessing property values and in the review and appeal processes."

Popular Name: Act 206