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LATE MILLAGE CERTIFICATION

House Bill 5067 (Substitute H-1)
First Analysis (11-4-93)

Sponsor: Rep. Pat Gagliardi
Committee: Taxation

THE APPARENT PROBLEM:

Generally speaking, the General Property Tax Act requires that voters approve changes or renewals of millage rates by September 30 in order for local governments to collect revenues based on those rates in the same tax year. Routinely, there are requests each year for legislation extending the deadline in special cases. Recently, the legislature passed Senate Bill 859 to allow the certification of property taxes for any purpose approved by voters at an election before November 30, 1993. This blanket late millage approval was justified in part by the general confusion over property tax issues generated by the passage of Senate Bill 1 (Public Act 145 of 1993) abolishing school operating taxes as of December 31. An additional late millage case has arisen, however, not covered by Senate Bill 859, reportedly involving the Chippewa Valley School District, which intends to hold a millage election on December 15.

to late millage elections for several townships and school districts contained a deadline of November 30. At least one school district has a millage election scheduled after that date.

POSITIONS:

There are no positions at present.

THE CONTENT OF THE BILL:

The bill would amend the General Property Tax Act to permit the certification for the 1993 calendar year of taxes to be levied for school purposes by a school district that had had a millage defeated in a prior 1993 election if the taxes were approved by the voters at an election held after September 30, 1993, and on or before December 15, 1993.

MCL 211.36

FISCAL IMPLICATIONS:

There is no information at present.

ARGUMENTS:

For:

It is common practice to allow the late certification of property taxes each year to cover special instances. A previously passed bill to give approval