



HOUSE BILL No. 4014

February 2, 1993, Introduced by Reps. Jondahl, Griffin, Schroer, Wetters, Byrum, Gire, Freeman and Profit and referred to the Committee on Taxation.

A bill to amend section 2 of Act No. 206 of the Public Acts of 1893, entitled as amended

"The general property tax act,"

being section 211.2 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 206 of the Public Acts of
2 1893, being section 211.2 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 2. (1) For the purpose of taxation, real property
5 ~~shall include~~ INCLUDES all lands within the state ~~and~~ and all
6 buildings and fixtures ~~thereon~~ ON THE LAND, and appurtenances
7 thereto, except ~~such as are~~ THOSE expressly exempted by law. ~~and shall include~~
8 REAL PROPERTY ALSO INCLUDES all real property
9 owned by the state or ~~heretofore~~ purchased or condemned for
10 public highway purposes by any board, officer, commission, or

1 department ~~thereof~~ OF THE STATE and sold on land contract,
2 notwithstanding the fact that the deed has not been executed
3 transferring title.

4 (2) The taxable status of persons and real and personal
5 property shall be determined as of each December 31, which ~~shall~~
6 ~~be deemed~~ IS CONSIDERED the tax day, any provisions in the
7 charter of any city or village to the contrary notwithstanding.
8 ~~No~~ HOWEVER, BEGINNING WITH ASSESSMENTS PREPARED IN 1993, THE
9 TRUE CASH VALUE OF REAL PROPERTY, BUILDINGS DESCRIBED IN
10 SECTION 14(6), AND LEASEHOLD IMPROVEMENTS VALUED AS REAL PROPERTY
11 SHALL BE DETERMINED AS OF THE DECEMBER 31 IMMEDIATELY PRECEDING
12 THE TAX DAY, BASED UPON THE TAXABLE STATUS AS OF THAT TAX DAY. AN
13 assessing officer ~~shall be~~ IS NOT restricted to any particular
14 period in the preparation of the assessment roll but may survey,
15 examine, or review properties at any time ~~prior to~~ BEFORE or
16 after the tax day.

17 (3) Notwithstanding any provision to the contrary in any
18 law, when real property is acquired for public purposes by pur-
19 chase or condemnation, all general property taxes, but not penal-
20 ties, levied during the 12 months immediately preceding, but not
21 including, the day title passes to the public agency shall be
22 prorated in accordance with this paragraph. The seller or con-
23 demnee is responsible for the portion of taxes from the levy date
24 or dates to, but not including, the day title passes and the
25 public agency is responsible for the remainder of ~~such~~ THE
26 taxes. If the date that title will pass cannot be ascertained
27 definitely and an agreement in advance to prorate taxes is

1 desirable, an estimated date for the passage of title may be
2 agreed to. In the absence of ~~such~~ AN agreement, the public
3 agency shall compute the proration of taxes as of the date title
4 passes. The question of proration of ~~such~~ THE taxes shall not
5 be considered in any condemnation proceeding. As used in this
6 ~~paragraph~~ SUBSECTION, "levy date" means the day on which
7 GENERAL PROPERTY taxes become due and payable. In addition to
8 the portion of taxes for which the public agency is responsible
9 under the provisions of this ~~paragraph~~ SUBSECTION, the public
10 agency is also responsible for all general property taxes levied
11 on or after the date title passes and before the property is
12 removed from the tax rolls.

13 (4) In any real estate transaction between private parties
14 in the absence of any agreement to the contrary, the seller
15 ~~shall be~~ IS responsible for that portion of ~~said~~ THE annual
16 taxes levied during the 12 months immediately preceding, but not
17 including, the day title passes ~~—~~ from the levy date or dates
18 to, but not including, the day title passes and the buyer is
19 responsible for the remainder of ~~such~~ THE annual taxes. As
20 used in this ~~paragraph~~ SUBSECTION, "levy date" means the day on
21 which any general property tax becomes due and payable.