

Act No. 626
Public Acts of 2006
Approved by the Governor
January 3, 2007
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January 3, 2007
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STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006

Introduced by Reps. Gonzales, Vagnozzi, Plakas, Polidori, Clack, Farrah and Gleason

ENROLLED HOUSE BILL No. 5717

AN ACT to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending sections 59 and 78n (MCL 211.59 and 211.78n), section 59 as amended by 2001 PA 97 and section 78n as added by 1999 PA 123.

The People of the State of Michigan enact:

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 homestead property 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 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:

(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.

Sec. 78n. (1) The land reutilization fund is created within the department of treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the fund, including a transfer of funds from the delinquent property tax administration fund as provided in subsection (5). The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The department of treasury may expend money from the fund for 1 or more of the following purposes:

(a) Contracts with title insurance companies pursuant to section 78i.

(b) Costs of determining addresses, service of notices, and recording fees incurred pursuant to section 78i.

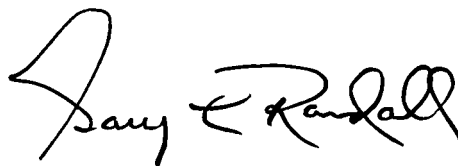
(c) Defense of title actions as determined by the state treasurer.

(d) Other costs incurred in administering the foreclosure and disposition of property forfeited for delinquent taxes under this act.

(5) The state treasurer may transfer to the fund any balance remaining in the delinquent property tax administration fund of this state created in section 59.

(6) As used in this section, "fund" means the land reutilization fund created in this section.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved

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Governor