

# HOUSE BILL No. 4168

February 10, 2015, Introduced by Reps. Singh, Moss, Kivela, Plawecki, Irwin, Maturen, Aaron Miller, Price, Sarah Roberts, Schor, Garrett, Brunner and Heise and referred to the Committee on Local Government.

A bill to amend 1893 PA 206, entitled  
"The general property tax act,"  
by amending section 42a (MCL 211.42a), as amended by 2012 PA 461.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 42a. (1) Subject to this section, a local tax collecting  
2 unit may use a computerized data base system as the tax roll if any  
3 of the following apply:

4           (a) The local **TAX COLLECTING** unit obtains written  
5 authorization from the state tax commission.

6           (b) The treasurer of the county in which the local tax  
7 collecting unit is located obtains written authorization from the  
8 state tax commission for the use by the county treasurer or local  
9 tax collecting units within the county of an approved computerized  
10 data base system as the tax roll. This subdivision shall not be

1 construed to prohibit a local tax collecting unit from seeking  
2 authorization from the state tax commission to use a computerized  
3 data base system developed by the local tax collecting unit.

4 (c) The state tax commission fails to authorize or deny within  
5 120 days a written request from a county treasurer or a local tax  
6 collecting unit under this subsection to use a computerized data  
7 base system as the tax roll.

8 (2) The state tax commission shall authorize the use of a  
9 computerized data base system as the tax roll if the local tax  
10 collecting unit or the county treasurer demonstrates that the  
11 proposed system has the capacity to enable a local **TAX COLLECTING**  
12 unit to comply and the local **TAX COLLECTING** unit complies with all  
13 of the following requirements:

14 ~~—— (a) An original precollection tax roll shall be printed from~~  
15 ~~the computerized data base and warranted by the assessor. That~~  
16 ~~printed precollection tax roll shall be maintained by the assessor~~  
17 ~~until the expiration of the redemption period provided in section~~  
18 ~~78k following the entry of a judgment foreclosing property~~  
19 ~~forfeited for delinquent taxes under section 78g, or the resolution~~  
20 ~~of all pending appeals, whichever is later.~~

21 ~~—— (b) A separate computer printout of all parcel splits and~~  
22 ~~combinations, including sufficient information to document the~~  
23 ~~accuracy of the splits or combinations, shall be prepared and~~  
24 ~~maintained by the assessor until the expiration of the redemption~~  
25 ~~period provided in section 78k following the entry of a judgment~~  
26 ~~foreclosing property forfeited for delinquent taxes under section~~  
27 ~~78g, or the resolution of all pending appeals, whichever is later.~~

1 ~~—— (c) A separate computer printout of all corrections and~~  
2 ~~adjustments to the precollection tax roll authorized by action of~~  
3 ~~the board of review, state tax commission, or tax tribunal,~~  
4 ~~including sufficient information to document the accuracy of all~~  
5 ~~corrections and adjustments, shall be prepared and maintained by~~  
6 ~~the assessor until the expiration of the redemption period provided~~  
7 ~~in section 78k following the entry of a judgment foreclosing~~  
8 ~~property forfeited for delinquent taxes under section 78g, or the~~  
9 ~~resolution of all pending appeals, whichever is later.~~

10       **(A)** ~~(d)~~—The **TREASURER OF THE** local tax collecting ~~treasurer~~  
11 **UNIT** and the assessor shall produce a final settlement tax roll to  
12 certify taxes collected to the county treasurer under section 55.  
13 The assessor shall certify that taxable values, state equalized  
14 valuations, adjusted valuations, and the spread of taxes and  
15 adjusted taxes are correctly recorded in the settlement tax roll.  
16 The **TREASURER OF THE** local tax collecting ~~treasurer~~**UNIT** shall  
17 certify delinquent taxes and certify that all tax collections are  
18 posted on the settlement tax roll. Those certifications and the  
19 settlement tax roll shall be transmitted to the county treasurer.  
20 The settlement tax roll transmitted to the county treasurer may be  
21 in either a computer printed format or a disk, external drive, or  
22 other electronic data processing format compatible with the  
23 computer system used by the county treasurer. The affidavit  
24 attached to or included with the settlement tax roll shall include  
25 documentation that authorizes and reports all changes in the  
26 precollection tax roll.

27       **(B)** ~~(e)~~—The treasurer of the local tax collecting unit shall

1 ~~prepare and maintain~~ **PREPARES AND MAINTAINS** a journal of the  
2 collections totaled and reconciled to the amount of actual  
3 collections daily.

4 (C) ~~(f)~~ A payment of the tax ~~shall be~~ **IS** posted to the  
5 computerized data base system using a transaction or receipt number  
6 with the date of payment. A posting on the computerized data base  
7 system is considered the entry of the fact and date of payment in  
8 an indelible manner on the tax roll as required by section 46(2).

9 (D) ~~(g)~~ The computerized data base system has internal and  
10 external security procedures sufficient to assure the integrity of  
11 the system.

12 ~~(h) The local tax collecting unit is capable of making~~  
13 ~~available a posted computer printed tax roll.~~

14 (E) ~~(i)~~ The computerized data base system is compatible with  
15 the system used by the county treasurer for the collection of  
16 delinquent taxes.

17 (3) Not later than May 1 of the third year following the year  
18 in which a local tax collecting unit begins using a computerized  
19 data base system as the tax roll after approval under subsection  
20 (1) and every 3 years thereafter, the local tax collecting unit  
21 shall certify to the state tax commission that the requirements of  
22 this section are being met.

23 (4) A county treasurer or local tax collecting unit that  
24 provides a computer terminal for public viewing of the tax roll is  
25 considered **AS** having the tax roll available for public inspection.

26 (5) If at any time the state treasurer or the state tax  
27 commission believes that a local tax collecting unit is no longer

1 in compliance with subsection (2), the state treasurer or the state  
2 tax commission shall provide written notice to that local tax  
3 collecting unit. The notice shall specify the reasons that use of  
4 the computerized data base system as the original tax roll is no  
5 longer in compliance with subsection (2). The local tax collecting  
6 unit has not less than 60 days to provide evidence that the local  
7 tax collecting unit is in compliance with subsection (2) or that  
8 action to correct noncompliance has been implemented. If, after the  
9 expiration of 60 days, the state tax commission or the state  
10 treasurer believes that the local tax collecting unit is not taking  
11 satisfactory steps to correct a condition of noncompliance, the  
12 state tax commission upon its own motion may, and upon the request  
13 of the state treasurer shall, withdraw approval of the use of the  
14 computerized data base system as the original tax roll. Proceedings  
15 of the state tax commission under this subsection shall be in  
16 accordance with rules for other proceedings of the commission  
17 promulgated under the administrative procedures act of 1969, 1969  
18 PA 306, MCL 24.201 to 24.328, and shall not be considered a  
19 contested case.