

# HOUSE BILL No. 6056

June 29, 2004, Introduced by Reps. Ruth Johnson, Garfield, Wenke, Hoogendyk and Emmons  
and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
(MCL 600.101 to 600.9947) by adding sections 3112 and 3214.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 3112. (1) If, after a complaint is filed to foreclose  
2 a mortgage on real estate or a land contract, a foreclosing  
3 mortgagee, land contract seller, or assignee pays taxes assessed  
4 against the premises that the mortgage or land contract requires  
5 the mortgagor or land contract purchaser to pay, the mortgagee,  
6 land contract seller, or assignee that makes the payment shall  
7 notify the mortgagor or land contract purchaser in writing of the  
8 date and amount of the payment and identify the taxes for which  
9 the payment was made. A notice required by this section shall be  
10 given not later than 45 days before the following dates:

11       (a) If the payment is made before the sale of the premises

1 under a judgment entered in the action, the date of the sale  
2 under the judgment.

3 (b) If the payment is made after the sale of the premises  
4 under a judgment entered in the action and before the expiration  
5 of the period of redemption, the date that the period of  
6 redemption expires.

7 (2) A person that violates this section is liable for a civil  
8 fine of \$1,000.00, payable to the general fund. A fine under  
9 this subsection may be enforced by the commissioner of financial  
10 and insurance services, subject to judicial review under chapter  
11 6 of the administrative procedures act of 1969, 1969 PA 306, MCL  
12 24.301 to 24.306.

13 Sec. 3214. (1) If, after the first publication of a notice  
14 of foreclosure under section 3208, a foreclosing mortgagee or  
15 assignee pays taxes assessed against the mortgaged property that  
16 the mortgage requires the mortgagor to pay, the mortgagee or  
17 assignee that makes the payment shall notify the mortgagor in  
18 writing of the date and amount of the payment and identify the  
19 taxes for which the payment was made. A notice required by this  
20 section shall be given not later than 45 days before the  
21 following dates:

22 (a) If the payment is made before the sale under this  
23 chapter, the date of the sale under this chapter.

24 (b) If the payment is made after the sale under this chapter  
25 and before the expiration of the period of redemption, the date  
26 that the period of redemption expires.

27 (2) A person that violates this section is liable for a civil

1 fine of \$1,000.00, payable to the general fund. A fine under  
2 this subsection may be enforced by the commissioner of financial  
3 and insurance services, subject to judicial review under chapter  
4 6 of the administrative procedures act of 1969, 1969 PA 306, MCL  
5 24.301 to 24.306.