

# HOUSE BILL No. 4753

April 1, 2009, Introduced by Reps. Horn, Booher, Stamas, Moore, Caul and Terry Brown and referred to the Committee on Intergovernmental and Regional Affairs.

A bill to authorize certain local units of government to levy a special assessment on certain parcels of property for certain purposes; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments; and to prescribe certain duties of certain local officials.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the "local  
2 government special assessment act".

3       Sec. 3. As used in this act:

4       (a) "Local unit of government" means a county, township, city,  
5 or village.

6       (b) "Governing body" means the legislative body of a county,  
7 township, city, or village.

1 (c) "Public safety" includes, but is not limited to, police  
2 and fire services.

3 Sec. 5. The governing body of a local unit of government may  
4 by resolution propose 1 or more of the following:

5 (a) That the cost of constructing, maintaining, and operating  
6 a community center within the local unit of government be defrayed  
7 by special assessment levied in an equal amount on each individual  
8 parcel of property in the local unit of government, except property  
9 exempt from the collection of taxes under the general property tax  
10 act, 1893 PA 206, MCL 211.1 to 211.155, and not on an ad valorem  
11 basis.

12 (b) That the cost of providing public safety services within  
13 the local unit of government be defrayed by special assessment  
14 levied in an equal amount on each individual parcel of property in  
15 the local unit of government, except property exempt from the  
16 collection of taxes under the general property tax act, 1893 PA  
17 206, MCL 211.1 to 211.155, and not on an ad valorem basis.

18 Sec. 7. (1) If a resolution proposing a special assessment is  
19 adopted under section 5, the governing body of the local unit of  
20 government shall estimate the cost and fix a day for a hearing on  
21 the estimate and on the question of levying a special assessment in  
22 an equal amount on each individual parcel of property in the local  
23 unit of government, except property exempt from the collection of  
24 taxes under the general property tax act, 1893 PA 206, MCL 211.1 to  
25 211.155.

26 (2) The hearing shall be a public meeting held in compliance  
27 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

1 Public notice of the time, date, and place of the meeting shall be  
2 given in the manner required by the open meetings act, 1976 PA 267,  
3 MCL 15.261 to 15.275. In addition, the local unit of government  
4 shall publish in a newspaper of general circulation in the local  
5 unit of government a notice stating the time, place, and purpose of  
6 the meeting. If there is not a newspaper of general circulation in  
7 the local unit of government, notices shall be posted in not less  
8 than 3 of the most public places in the local unit of government.  
9 This notice shall be published or posted not less than 5 days  
10 before the hearing.

11 (3) On the day appointed for the hearing, the governing body  
12 of the local unit of government shall be in session to hear  
13 objections that may be offered against the estimate and the levy of  
14 the special assessment.

15 Sec. 9. If a resolution proposing a special assessment is  
16 adopted under section 5, the question of raising money by special  
17 assessment shall be submitted to the qualified electors of the  
18 local unit of government at a general election or special election  
19 called for that purpose by the governing body.

20 Sec. 11. If a resolution proposing a special assessment is  
21 approved under section 5 and approved by the qualified electors in  
22 the local unit of government under section 9, the governing body of  
23 the local unit of government may borrow money and issue the bonds  
24 of the local unit of government in anticipation of the collection  
25 of a special assessment. Bonds issued under this section shall not  
26 exceed the amount of the special assessment in anticipation of the  
27 collection of which they are issued. The issuance of bonds under

- 1 this section is subject to the revised municipal finance act, 2001
- 2 PA 34, MCL 141.2101 to 141.2821.