

HOUSE BILL No. 5358

September 15, 2009, Introduced by Reps. Bettie Scott, Womack, Leland, Lemmons, Jackson, Johnson, Durhal, Bledsoe, Young, Geiss and Nathan and referred to the Committee on Education.

A bill to amend 2003 PA 258, entitled
"Land bank fast track act,"
by amending section 3 (MCL 124.753).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. As used in this act:

2 (a) "Authority" means a land bank fast track authority created
3 under section 15, section 23(4), or section 23(5).

4 (b) "Authority board" means the board of directors of the
5 state authority appointed under section 16.

6 (c) "Casino" means a casino regulated by this state under the
7 Michigan gaming control and revenue act, ~~the Initiated Law of 1996~~
8 IL 1, MCL 432.201 to 432.226, or a casino at which gaming is
9 conducted under the Indian gaming regulatory act, Public Law 100-

1 497, ~~102 Stat. 2467,~~ and all property associated or affiliated with
2 the operation of the casino, including, but not limited to, a
3 parking lot, hotel, motel, or retail store.

4 (d) "County authority" means a county land bank fast track
5 authority created by a county foreclosing governmental unit under
6 section 23(4).

7 (e) "Department" means the department of **ENERGY**, labor, and
8 economic growth, a principal department of state government.
9 ~~created by section 225 of the executive organization act of 1965,~~
10 ~~1965 PA 380, MCL 16.325, and renamed by Executive Order No. 1996-2,~~
11 ~~MCL 445.2001, and by Executive Order No. 2003-18.~~

12 (f) "Foreclosing governmental unit" means that term as defined
13 in section 78 of the general property tax act, 1893 PA 206, MCL
14 211.78.

15 (g) "Fund" means the land bank fast track fund created in
16 section 18.

17 (h) "Intergovernmental agreement" means a contractual
18 agreement between 1 or more governmental agencies, including, but
19 not limited to, an interlocal agreement to jointly exercise any
20 power, privilege, or authority that the agencies share in common
21 and that each might exercise separately under the urban cooperation
22 act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

23 (i) "Local authority" means a local land bank fast track
24 authority created by a qualified city under section 23(5).

25 (j) "Local unit of government" means a city, village,
26 township, county, or any intergovernmental, metropolitan, or local
27 department, agency, or authority, or other local political

1 subdivision.

2 (k) "Michigan economic development corporation" means the
3 public body corporate created under section 28 of article VII of
4 the state constitution of 1963 and the urban cooperation act of
5 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by a contractual
6 interlocal agreement effective April 5, 1999, as amended, between
7 local participating economic development corporations formed under
8 the economic development corporations act, 1974 PA 338, MCL
9 125.1601 to 125.1636, and the Michigan strategic fund. If the
10 Michigan economic development corporation is unable for any reason
11 to perform its duties under this act, those duties may be exercised
12 by the Michigan strategic fund.

13 (l) "Michigan state housing development authority" means the
14 authority created under the state housing development authority act
15 of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c.

16 (m) "Michigan strategic fund" means the Michigan strategic
17 fund as described in the Michigan strategic fund act, 1984 PA 270,
18 MCL 125.2001 to ~~125.2093~~ 125.2094.

19 (n) "Qualified city" means a city that contains a first class
20 school district **OR A SCHOOL DISTRICT WITH AT LEAST 60,000 BUT FEWER**
21 **THAN 100,000 PUPILS IN MEMBERSHIP** and includes any department or
22 agency of the city. **AS USED IN THIS SUBDIVISION, "MEMBERSHIP" MEANS**
23 **THAT TERM AS DEFINED IN THE REVISED SCHOOL CODE, 1976 PA 451, MCL**
24 **380.1 TO 380.1852.**

25 (o) "State administrative board" means the board created under
26 1921 PA 2, MCL 17.1 to 17.3, that exercises general supervisory
27 control over the functions and activities of all administrative

1 departments, boards, commissioners, and officers of the state and
2 of all state institutions.

3 (p) "State authority" means the land bank fast track authority
4 created under section 15.

5 (q) "Tax reverted property" means property that meets 1 or
6 more of the following criteria:

7 (i) The property was conveyed to this state under **FORMER**
8 section 67a of the general property tax act, 1893 PA 206, ~~MCL~~
9 ~~211.67a~~, and subsequently was not sold at a public auction under
10 **FORMER** section 131 of the general property tax act, 1893 PA 206,
11 ~~MCL 211.131~~, except property described in **FORMER** section 131 of the
12 general property tax act, 1893 PA 206, ~~MCL 211.131~~, that is
13 withheld from sale by the director of the department of natural
14 resources as authorized in that section.

15 (ii) The property was conveyed to this state under **FORMER**
16 section 67a of the general property tax act, 1893 PA 206, ~~MCL~~
17 ~~211.67a~~, and subsequently was either redeemed by a local unit of
18 government or transferred to a local unit of government under
19 section 2101 or 2102 of the natural resources and environmental
20 protection act, 1994 PA 451, MCL 324.2101 and 324.2102, or under
21 former section 461 of 1909 PA 223 except property transferred to a
22 local unit of government that is subject to a reverter clause under
23 which the property reverts to this state upon transfer by the local
24 unit of government.

25 (iii) The property was subject to forfeiture, foreclosure, and
26 sale for the collection of delinquent taxes as provided in sections
27 78 to 79a of the general property tax act, 1893 PA 206, MCL 211.78

1 to 211.79a, and both of the following apply:

2 (A) Title to the property vested in a foreclosing governmental
3 unit under section 78k of the general property tax act, 1893 PA
4 206, MCL 211.78k.

5 (B) The property was offered for sale at an auction but not
6 sold under section 78m of the general property tax act, 1893 PA
7 206, MCL 211.78m.

8 (iv) The property was obtained by or transferred to a local
9 unit of government under section 78m of the general property tax
10 act, 1893 PA 206, MCL 211.78m.

11 (v) Pursuant to the requirements of a city charter, the
12 property was deeded to or foreclosed by the city or a department or
13 agency of the city for unpaid delinquent real property taxes.