

# HOUSE BILL NO. 6343

November 12, 2020, Introduced by Rep. Steven Johnson and referred to the Committee on Government Operations.

A bill to amend 1954 PA 188, entitled

"An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds,"

by amending section 4a (MCL 41.724a), as amended by 2000 PA 331.

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

1       Sec. 4a. (1) If special assessments are made against property,  
 2       notice of hearings in the special assessment proceedings ~~shall~~**must**  
 3       be given as provided in this section.

4       (2) Notice of hearings in special assessment proceedings ~~shall~~  
 5       **must** be given to each record owner of, or party in interest in,  
 6       property to be assessed whose name appears upon the last township  
 7       tax assessment records by first-class mail addressed to the record  
 8       owner or party in interest at the address shown on the tax records,  
 9       at least 10 days before the date of the hearing. The last township  
 10      tax assessment records means the last assessment roll for ad  
 11      valorem tax purposes that was reviewed by the township board of  
 12      review, as supplemented by any subsequent changes in the names or  
 13      the addresses of the owners or parties listed on that roll. If a  
 14      record owner's name does not appear on the township tax assessment  
 15      records, then notice ~~shall~~**must** be given by first-class mail  
 16      addressed to the record owner at the address shown by the records  
 17      of the county register of deeds at least 10 days before the date of  
 18      the hearing. ~~Notice shall~~**Before January 1, 2022, notice must** also  
 19      be published twice before the hearing in a newspaper circulating in  
 20      the township. ~~The~~**Before January 1, 2022, the** first publication  
 21      ~~shall~~**must** be at least 10 days before the date of the hearing.  
 22      **Beginning January 1, 2022, at least 10 days before the date of the**  
 23      **hearing, public notice of the hearing must also be posted as set**  
 24      **forth in the local government public notice act.** If a published or  
 25      **posted** notice includes a list of the property identification  
 26      numbers of the property to be assessed, that list may provide  
 27      either the individual property identification number for each  
 28      parcel of property to be assessed or 1 or more sequential sets of  
 29      property identification numbers, ~~which~~**that** include each parcel of

1 property to be assessed. If a published **or posted** notice includes a  
2 list of the property identification numbers of the property to be  
3 assessed, that published **or posted** notice ~~shall~~**must** also include  
4 either a map depicting the area of the proposed special assessment  
5 district or a written description of the proposed special  
6 assessment district.

7 (3) If a person whose name and correct address do not appear  
8 upon the last township tax assessment records claims an interest in  
9 real property, that person shall immediately file his or her name  
10 and address with the township supervisor. This filing is effective  
11 only for the purpose of establishing a record of the names and  
12 addresses of those persons entitled to notice of hearings in  
13 special assessment proceedings. The supervisor shall immediately  
14 enter on the tax assessment records any changes in the names and  
15 addresses of record owners or parties in interest filed with the  
16 supervisor and at all times shall keep the tax assessment records  
17 current, complete, and available for public inspection.

18 (4) A township officer required to give notice of a hearing in  
19 special assessment proceedings may rely upon the last township tax  
20 assessment records in giving notice of the hearing by mail. The  
21 method of giving notice by mail as provided in this section is  
22 declared to be the method that is reasonably certain to inform  
23 those to be assessed of the special assessment proceedings.

24 (5) Failure to give notice as required in this section ~~shall~~  
25 **does** not invalidate an entire assessment roll, but only the  
26 assessment on property affected by the lack of notice. A special  
27 assessment ~~shall~~**must** not be declared invalid as to any property if  
28 the owner or the party in interest of that property actually  
29 received notice, waived notice, or paid any part of the assessment.

1 If an assessment is declared void by court decree or judgment, a  
2 reassessment against the property may be made.

3 (6) A special assessment hearing held before June 5, 1974 is  
4 validated, insofar as any notice of hearing is concerned, if notice  
5 was given by mail to the owners or parties in interest whose names  
6 appeared at the time of mailing on the last township tax assessment  
7 records. Any such special assessment hearing is validated as to any  
8 owner or party in interest who actually received notice of hearing,  
9 waived the notice, or paid any part of the special assessment.

10 Enacting section 1. This amendatory act does not take effect  
11 unless Senate Bill No. \_\_\_\_\_ or House Bill No. 6440 (request no.  
12 02449'19) of the 100th Legislature is enacted into law.