

MODIFY PROCEDURE AND FEES FOR ELECTRONIC RECORDS REQUESTS

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Senate Bill 705 (S-2) as reported from House committee

Sponsor: Sen. Paul Wojno

House Committee: Local Government and Municipal Finance

Senate Committee: Local Government

Complete to 12-7-24

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 705 would amend 1895 PA 161, which concerns records of county treasurers, to provide that a request for a winter tax bill and a summer tax bill would be considered a single request and to make other modifications to the process for requesting copies of electronic records from a county treasurer's office.

Section 1 of the act provides that a county treasurer must make copies of a record on file in the treasurer's office and prescribes a schedule of fees for doing so. The act provides a maximum charge of 30 cents per parcel record, up to a total of \$2,000 for each request, if the request is for an electronic copy of the following records in an electronic data file maintained, controlled, or managed by the county treasurer:

- The taxable value.
- The state equalized value.
- The assessed value.
- Past sale data.
- Property classification.
- Parcel identification number.
- Owner name and address.
- Taxpayer name and address.
- Principal residence status.
- Other tax equalization data.
- Special assessments.
- Total millage rate.
- Enumerated millage list.
- Tax amount for winter tax bill.
- Tax amount for summer tax bill.

A county treasurer that maintains, controls, or manages¹ any electronic records containing any of the above listed information for each parcel of real property in the county must provide those records upon request for the current tax year.

Under Senate Bill 705, a request for an electronic copy of records that includes a request for the tax bill amount for the winter and summer tax bills would be considered a single request,

¹ Under Senate Bill 705, these provisions would also apply to an electronic record file possessed by the treasurer.

and the maximum charge for the request would be \$2,000 if both amounts are available at the time of the request.

A county treasurer would be required to provide the records for the requested, rather than the current, tax year.

Additionally, the bill would specify that a request for an electronic copy of records would not be subject to the act's prescribed fee schedule for paper copies of records.

MCL 48.101

BRIEF DISCUSSION:

According to committee testimony, Senate Bill 705 is intended to make a technical correction to changes made by 2022 PA 215, which amended 1895 PA 161 to require county treasurers to provide the electronic records listed above for the current tax year to the requesting entity. However, county treasurers do not always have information for the current tax year available at the time of request. Supporters of SB 705 suggest that it would ensure that county treasurers can reasonably comply with public records requests and that it also would provide for requests for summer and winter tax rolls to be considered a single request subject to one fee.

FISCAL IMPACT:

The bill would reduce county revenues by an indeterminate, but likely limited, amount. There would be no state fiscal impact.

POSITIONS:

A representative of Zillow testified in support of the bill. (11-13-24)

The following entities indicated support for the bill (11-13-24):

- Michigan Association of County Treasurers
- Michigan Realtors

Legislative Analyst: Holly Kuhn
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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.