

# HOUSE BILL No. 5336

October 24, 2001, Introduced by Rep. Mead and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1989 PA 24, entitled  
"The district library establishment act,"  
by amending section 13 (MCL 397.183), as amended by 1994 PA 114.

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

1       Sec. 13. (1) Subject to any limitation in the district  
2 library agreement on the amount of the district library annual  
3 budget or the amount or percentage of an increase in the district  
4 library annual budget, or both, that applies in the absence of a  
5 districtwide tax approved by the electors, the board shall annu-  
6 ally determine the amount of money necessary for the establish-  
7 ment and operation of the district library and shall state that  
8 amount in an annual budget of the district library.

9       (2) All or part of the money necessary for the establishment  
10 and operation of a district library may be supplied by a tax  
11 levied by the district library on the taxable property in the

1 district. A district library shall not levy a tax authorized by  
2 this subsection unless the tax is approved as provided in  
3 section 15. However, a districtwide tax in effect or authorized  
4 to be levied by a district library established pursuant to former  
5 ~~Act No. 164 of the Public Acts of 1955~~ 1955 PA 164 may be  
6 levied by the district library at the rate and for the period of  
7 time originally authorized without being approved as provided in  
8 section 15.

9 (3) A districtwide tax or taxes authorized by subsection (2)  
10 shall not exceed 4 mills OR ANY LESSER AMOUNT SET FORTH IN A DIS-  
11 TRICT LIBRARY AGREEMENT. IF A LESSER AMOUNT IS SET FORTH IN A  
12 DISTRICT LIBRARY AGREEMENT, THAT AMOUNT SUPERSEDES THE LIMIT OTH-  
13 ERWISE PROVIDED FOR BY THIS SUBSECTION.

14 (4) That portion of the total districtwide tax or taxes that  
15 exceeds 2 mills shall be authorized to be levied for a period of  
16 not more than 20 years. However, if 1 or more of the participat-  
17 ing municipalities had a legally established public library with  
18 an authorized tax levy of more than 2 mills on December 31, 1993,  
19 that portion of the total districtwide tax or taxes that exceeds  
20 the greatest number of mills authorized to be levied by any such  
21 participating municipality for its public library on December 31,  
22 1993 shall be authorized to be levied for a period of not more  
23 than 20 years.

24 (5) Of the amount of money stated in the annual budget pur-  
25 suant to subsection (1) that is not supplied by a districtwide  
26 tax, the legislative body of each participating municipality  
27 shall annually pay to the board the percentage set forth in the

1 agreement pursuant to section 4. A participating municipality  
2 may make the payment by appropriating money from its general fund  
3 or by levying a tax for district library purposes on the taxable  
4 property in the municipality, or both.

5 (6) A participating municipality shall not levy a tax autho-  
6 rized by subsection (5) unless the tax is approved by a majority  
7 of the electors who reside in the participating municipality and  
8 vote on the proposal. Not less than 60 days before the date of  
9 the election, the legislative body of a participating municipal-  
10 ity shall certify a proposed tax to the clerk of the municipality  
11 or, if the participating municipality is a school district, to  
12 the secretary of the school board for inclusion on the ballot.

13 (7) A library tax in effect or authorized to be levied by a  
14 participating municipality before the municipality became a party  
15 to an agreement may be levied at the rate and for the period of  
16 time originally authorized and used as a source of all or part of  
17 the percentage of money set forth in the agreement pursuant to  
18 section 4, unless prohibited by the millage authorization.