

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5202

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 7 (MCL 41.727), as amended by 1986 PA 180.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) The township board may provide that special
2 assessments are payable in 1 or more installments, but the amount
3 of an installment shall not be less than 1/2 of any subsequent
4 installment. The amount of each installment, if more than 1, ~~need~~
5 **SHALL** not be extended upon the special assessment roll until after
6 confirmation of that assessment roll. Subject to the provisions of
7 section 4(4), the amount of installments for improvements subject

1 to periodic cost revision may be extended upon the special
2 assessment roll by the township board without additional public
3 hearings or public notice, provided that additional property is not
4 added to the special assessment roll.

5 (2) The first installment of a special assessment ~~shall be~~ **IS**
6 due on or before the time after confirmation **OF THAT SPECIAL**
7 **ASSESSMENT ROLL** as **DETERMINED BY** the township board. ~~shall fix.~~
8 Subsequent installments ~~shall be~~ **ARE** due at intervals of 12 months
9 from the due date of the first installment or from a date
10 **DETERMINED BY** the township board. ~~shall fix.~~

11 (3) All unpaid installments, prior to their transfer to the
12 township tax roll as provided by this act, shall bear interest,
13 payable annually on each installment due date, at a rate to be set
14 by the township board, not exceeding 1% above the average rate of
15 interest borne by special assessment bonds issued by the township
16 in anticipation of all or part of the unpaid installments; or not
17 exceeding 1% above the average rate of interest borne by bonds
18 issued by a county, drainage district, or authority if the unpaid
19 installments are to be applied to the payment of a contract
20 obligation of the township to the county or authority or to the
21 payment of an assessment obligation of the township to the drainage
22 district; or, if bonds are not issued by the township, a county, a
23 drainage district, or an authority, not exceeding 8% per annum,
24 commencing in each case from a date fixed by the township board.

25 (4) Future due installments of an assessment against any
26 parcel of ~~land~~ **PROPERTY** may be paid to the township treasurer at
27 any time in full, with interest accrued through the month in which

1 the final installment is paid.

2 (5) IF THE TOWNSHIP BOARD PROVIDES THAT A SPECIAL ASSESSMENT
3 IS PAYABLE IN INSTALLMENTS UNDER SUBSECTION (1), THE AMOUNT OF ANY
4 LIEN ON THE PARCEL OF PROPERTY ASSESSED FOR THAT SPECIAL ASSESSMENT
5 IS LIMITED TO EACH INDIVIDUAL INSTALLMENT AND SHALL NOT ATTACH TO
6 THE PROPERTY ASSESSED UNTIL THAT INDIVIDUAL INSTALLMENT IS DUE AS
7 PROVIDED IN SUBSECTION (2).

8 (6) UPON WRITTEN REQUEST, THE TOWNSHIP TREASURER SHALL PROVIDE
9 A STATEMENT OF THE AMOUNT OF ANY LIEN UNDER SUBSECTION (1) AND (2)
10 ON THE PROPERTY, WITH INTEREST ACCRUED THROUGH THE END OF THE MONTH
11 IN WHICH THE STATEMENT IS PROVIDED.

12 (7) ~~(4)~~—If an installment of a special assessment is not paid
13 when due, then the installment shall be considered to be delinquent
14 and there shall be collected, in addition to interest as provided
15 by this section, a penalty at the rate of not more than 1% for each
16 month, or fraction of a month, that the installment remains unpaid
17 before being reported to the township board for reassessment upon
18 the township tax roll.

19 Enacting section 1. This amendatory act does not take effect
20 unless Senate Bill No. 1007 of the 97th Legislature is enacted into
21 law.