

# HOUSE BILL NO. 5361

October 05, 2021, Introduced by Reps. VanSingel and Steckloff and referred to the Committee on Tax Policy.

A bill to amend 1966 PA 331, entitled  
"Community college act of 1966,"  
by amending section 144 (MCL 389.144), as amended by 2003 PA 306.

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

1           Sec. 144. (1) The board of trustees of each community college  
2 district may levy for the purposes specified as within the power of  
3 the board a tax that does not exceed the rate previously or  
4 subsequently authorized by the qualified electors of the district  
5 or the rate derived through the previous adoption by the electors

1 of the district of former 1955 PA 188, or the rate that is  
2 allocated to the community college district in accordance with the  
3 property tax limitation act, 1933 PA 62, MCL 211.201 to 211.217a.  
4 The funds may be used for all purposes authorized, except that to  
5 the extent permitted under the revised municipal finance act, 2001  
6 PA 34, MCL 141.2101 to 141.2821, taxes imposed for the payment of  
7 principal and interest on bonds or other evidences of indebtedness  
8 or for the payment of assessments or contract obligations in  
9 anticipation of which bonds are issued may be imposed without  
10 limitation as to rate or amount. This limitation may be increased  
11 to not more than 5 mills if approved by a majority of the qualified  
12 electors voting on the question at a regular or special election of  
13 the community college district.

14 (2) Except as provided in subsection (3), the board of  
15 trustees shall determine the total taxes required for any year and  
16 shall certify the approved tax rate to be levied and the amount of  
17 taxes to be raised to the proper assessing officer of each city and  
18 township in which the territory of the community college district  
19 is situated on or before September 1 of each year, except that the  
20 board of trustees may provide by resolution that taxes to be raised  
21 against property within any city or township, any portion of which  
22 lies within the community college district boundaries, may be  
23 levied and collected in the same manner and at the same time as the  
24 city or township taxes or in the same manner and at the same time  
25 as school district or intermediate school district taxes are being  
26 collected by the city or township under part 26 of the revised  
27 school code, 1976 PA 451, MCL 380.1611 to 380.1615.

28 (3) By resolution of its board on or before May 15 of the year  
29 in which it is established, a community college district

1 established under this act between January 1 and May 1 of any  
 2 calendar year may impose a summer property tax levy of either the  
 3 total or 1/2 of the community college district property taxes for  
 4 that tax year. The board resolution ~~shall~~**must** also determine the  
 5 total taxes required for that tax year and certify the approved tax  
 6 rate to be levied and the amount of taxes to be raised to the  
 7 proper assessing officer of each city or township in which the  
 8 territory of the community college district is situated. Upon  
 9 receipt of that board resolution, each city and township in which  
 10 the community college district is situated that collects a summer  
 11 property tax levy under section 1613 of the revised school code,  
 12 1976 PA 451, MCL 380.1613, shall collect the summer levy for that  
 13 year. The reasonable and actual expenses incurred by a city or  
 14 township in collecting the community college district property  
 15 taxes under this subsection, to the extent these expenses are in  
 16 addition to the expense of collecting and assessing any other taxes  
 17 at the same time and exceed the amount of any fees imposed for the  
 18 collection of the community college property taxes, ~~shall~~**must** be  
 19 billed to and paid by the community college district. For the  
 20 purposes of this subsection, reasonable and actual expenses ~~shall~~  
 21 **must** not exceed the current collection agreements negotiated with  
 22 the largest intermediate school district within the community  
 23 college district. This subsection applies until December 31, 1992.

24 (4) ~~All~~**Subject to subsection (6), all** money collected by a  
 25 tax collecting officer from the tax levied under this section ~~shall~~  
 26 **must** be returned to the community college district as provided by  
 27 section 43 of the general property tax act, 1893 PA 206, MCL  
 28 211.43, or to the county treasurer who shall pay the taxes so  
 29 returned immediately to the community college district.

1           (5) The subjects of taxation for the community college  
2 district purposes ~~shall~~**must** be the same as for state, county, and  
3 other school purposes as provided under the general property tax  
4 act, 1893 PA 206, MCL 211.1 to ~~211.157~~**211.155**.

5           **(6) Notwithstanding any provision of this act to the contrary,**  
6 **both of the following apply if the board of trustees of a community**  
7 **college district offers baccalaureate or bachelor's degrees under**  
8 **section 121 in any discipline for which the board did not offer**  
9 **baccalaureate or bachelor's degrees before the effective date of**  
10 **the amendatory act that added this subsection:**

11           **(a) That board of trustees shall not levy any taxes under this**  
12 **act.**

13           **(b) Any taxes previously levied by that board of trustees**  
14 **under this act must not be collected for or returned to that**  
15 **board's community college district.**

16           Enacting section 1. This amendatory act does not take effect  
17 unless Senate Bill No. \_\_\_\_ or House Bill No. 5362 (request no.  
18 02036'21 a) of the 101st Legislature is enacted into law.