

# HOUSE BILL NO. 4783

June 15, 2023, Introduced by Reps. Byrnes and Morgan and referred to the Committee on Government Operations.

A bill to amend 1976 PA 225, entitled

"An act to defer the collection of special assessments on homestead properties; to provide for conditions of eligibility for such a deferment; to prescribe the powers and duties of the department of treasury, local assessing officers, and local collecting officers; to provide for the advancement of moneys by the state to indemnify special assessment districts for losses from deferment of collections; to provide for the advancement of money by the state to an owner for the repayment of loans used by the owner to pay special assessments; to provide for the collection of deferred special assessments and interest thereon, and the disposition of these collections; to make an appropriation; and to prescribe

penalties,"

by amending section 4 (MCL 211.764), as amended by 1980 PA 403.

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

1           Sec. 4. An owner may apply to the local assessing officer for  
 2    deferment of the payment of special assessments on the owner's  
 3    homestead. The application ~~shall~~**must** be made upon an affidavit  
 4    form to be furnished and made available by the department at  
 5    convenient locations throughout ~~the~~**this** state. The affidavit form  
 6    ~~shall~~**must** contain the following statement in 10-point boldface  
 7    type located immediately above the affiant's signature: "If this  
 8    deferment is authorized the state will place a lien on your  
 9    property." A person making a false affidavit for the purpose of  
 10   obtaining deferment of special assessments under this act is guilty  
 11   of perjury. If the homestead is owned jointly by ~~husband and wife,~~  
 12   **a married couple**, each spouse shall sign and file the affidavit. If  
 13   the homestead is encumbered by a mortgage or an unpaid balance on a  
 14   land contract, a deferment of special assessments ~~shall~~**must** not be  
 15   made without the written consent of the mortgagee or the land  
 16   contract vendor, which ~~shall~~**must** be filed with the affidavit. The  
 17   affidavit ~~shall~~**must** be filed with the local assessing officer at  
 18   least 30 days after the due date of a special assessment or  
 19   installment of a special assessment for which deferment is  
 20   requested.

21           Enacting section 1. This amendatory act does not take effect  
 22   unless Senate Joint Resolution \_\_\_\_ or House Joint Resolution F  
 23   (request no. 00367'23) of the 102nd Legislature becomes a part of  
 24   the state constitution of 1963 as provided in section 1 of article  
 25   XII of the state constitution of 1963.