



Special Assessment Proposed Legislation

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In January, 2008, a series of three bills (HB 5642, HB5643 and HB5644) were introduced that would substantially change the means by which a township could establish certain special assessment districts (a fourth bill would change the special assessment district creation process for counties).

Currently, if a township wants to create a special assessment district under Act 188 (sewers, water, roads, etc) or Act 33 (fire and police protection), the special assessment district could be established by either property owner petitions or upon the initiative of the township board. Special assessment districts formed under Act 116 (general public improvements) require initiation by property owner petitions.

Where the proposed special assessment district benefited by the improvement includes the entire township, the proposed legislation would require that the question of raising money by special assessment be approved by a majority vote of the township at a general election or special election called for that purpose. Thus, a township seeking to create a township-wide special assessment district for ambulance, garbage, police, fire, etc. could no longer initiate that special assessment district on its own, nor could it establish the special assessment district upon receipt of property owner petitions. The special assessment district and the amount of the special assessment would have to be approved by a vote of the township electorate.

Because these bills were just introduced, no action other than assignment to committee has been taken.