

Bond Case Briefs

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POLITICAL SUBDIVISIONS - MICHIGAN

Taxpayers for Michigan Constitutional Government v. Department of Technology

Court of Appeals of Michigan - December 22, 2022 - N.W.2d - 2022 WL 17865554

Taxpayer organization brought action against state and state authorities to enforce the Headlee Amendment that requires certain percentage of state spending to be apportioned to local government.

The Court of Appeals granted mandamus relief for organization, and the matter then came before the Court of Appeals again on motion for reconsideration. The Court of Appeals granted summary judgment in part and denied it in part for both parties. Parties' applications for leave to appeal were granted. The Supreme Court affirmed in part, vacated in part, and remanded.

On remand, the Court of Appeals held that:

- As an issue of first impression, an intermediate school district (ISD) qualifies as a "political subdivision of the state" and "unit of local government" within meaning of Headlee Amendment;
- Community college district controlled of a federally-recognized Indian tribe was not a "political subdivision of the state" within meaning of Headlee Amendment;
- As an issue of first impression, state funding to a public school academy (PSA) by their authorizing body qualified as state spending to a "unit of local government" within meaning of Headlee Amendment; and
- Taxpayer organization was not entitled to mandamus relief.