



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa1560/2
MES:sac&eev:jf

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY BILL 478**

February 11, 2014 – Offered by Representative STROEBEL.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 1: before that line insert:

3 “**SECTION 1g.** 60.23 (32) (c) of the statutes, as created by 2013 Wisconsin Acts
4 50 and 51, is amended to read:

5 60.23 (32) (c) If any part of a tax incremental district that is created as provided
6 under par. (b) 2. or (e) 2. is annexed by a city or village, any assets or liabilities
7 associated with that annexed territory, including a proportional share of any bonds
8 or other debt associated with the district, shall become the responsibility of the
9 annexing city or village.

10 **SECTION 1r.** 60.23 (32) (d) of the statutes, as created by 2013 Wisconsin Acts
11 50 and 51, is amended to read:

12 60.23 (32) (d) If after January 1 a city or village annexes any part of a tax
13 incremental district that is created as provided under par. (b) 2. or (e) 2., the

1 department of revenue shall redetermine the tax incremental base of the district by
2 subtracting from the tax incremental base the value of the taxable property that is
3 annexed from the existing district as of the following January 1, and if the
4 annexation becomes effective on January 1 of any year, the redetermination shall be
5 made as of that date. The tax incremental base as redetermined under this
6 paragraph is effective for the purposes of this paragraph and ~~par.~~ pars. (b) and (e)
7 only if it is less than the original tax incremental base determined under s. 66.1105
8 (5) (a).”.

9 **2.** Page 2, line 1: delete lines 1 to 5 and substitute:

10 “**SECTION 2m.** 60.23 (32) (e) of the statutes is created to read:

11 60.23 (32) (e) 1. In this paragraph:

12 a. “Department” means the department of natural resources.

13 b. “Sewer service area” means territory specified in the sewer service area
14 provisions of an areawide water quality management plan under s. 283.83 approved
15 by the department.

16 c. “Town” means a town in which the equalized value of all taxable property in
17 the town, in the year before the year in which the town adopts a resolution under s.
18 66.1105 (4) (gm), is at least \$500 million.”.

19 **3.** Page 3, line 1: after “subd. 3.” insert “and par. (f)”.

20 **4.** Page 3, line 2: after “district” insert “if the boundaries of the proposed
21 district are within a sewer service area and sewer service is either currently
22 extended to the proposed district or will be provided to the proposed district before
23 the use or operation of any improvements to real property in the proposed district

1 begins and the sewage treatment is provided by a wastewater treatment facility that
2 complies with ch. 283”.

3 **5.** Page 3, line 9: after that line insert:

4 “**SECTION 4m.** 60.23 (32) (f) of the statutes is created to read:

5 60.23 (32) (f) 1. Before a town board may approve a project plan under s.
6 66.1105 (4) (g), the town board must complete a financial analysis, as described in
7 subd. 2, and must ensure that the project plan specifies at least one of the items listed
8 in subd. 3. The starting point for determining a tax incremental district’s remaining
9 life, under subd. 3. b. and c., is the date on which the district is created, as described
10 in s. 66.1105 (4) (gm) 2.

11 2. The town board shall conduct a financial analysis of the proposed tax
12 incremental district that includes, in addition to the items specified in s. 66.1105 (4)
13 (f) and (i) 1., the annual and total amount of tax increments to be generated over the
14 life of the district, and the annual debt service costs on bonds issued by the town. If
15 the town does not have the expertise to complete the requirements of this
16 subdivision, it shall hire an entity which has the needed expertise to complete the
17 financial analysis.

18 3. The project plan under s. 66.1105 (4) (g) must specify one of the following:

19 a. With regard to the total value of public infrastructure improvements in the
20 district, at least 51 percent of the value of such improvements must be financed by
21 a private developer, or other private entity, in return for the town’s agreement to
22 repay the developer or other entity for those costs solely through the payment of cash
23 grants as described in s. 66.1105 (2) (f) 2. d. To receive the cash grants, the developer

1 or other private entity must enter into a development agreement with the town as
2 described in s. 66.1105 (2) (f) 2. d.

3 b. The town expects all project costs to be paid within 90 percent of the proposed
4 tax incremental district’s remaining life, based on the district’s termination date as
5 calculated under s. 66.1105 (7) (ak) to (au).

6 c. Expenditures may be made only within the first half of the proposed tax
7 incremental district’s remaining life, based on the district’s termination date as
8 calculated under s. 66.1105 (7) (ak) to (au), except that expenditures may be made
9 after this period if the expenditures are approved by a unanimous vote of the joint
10 review board. No expenditure under this subd. 3. c. may be made later than the time
11 during which an expenditure may be made under s. 66.1105 (6) (am).”.

12

(END)