



State of Wisconsin
2017 - 2018 LEGISLATURE

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EM/KRP/JK/MD/MS:all

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 480**

October 16, 2017 - Offered by Representative JARCHOW.

1 **AN ACT** *to repeal* 227.115 (5); *to renumber and amend* 59.692 (1k) (a) 2.,
2 66.1105 (2) (ab) and 227.115 (2); *to amend* 13.099 (2), 13.099 (3) (title), 13.099
3 (3) (a) (intro.), 13.099 (3) (a) 2., 13.099 (3) (a) 3., 13.099 (3) (b), 66.0617 (7),
4 66.10015 (2) (b), 66.1105 (2) (f) 3. (intro.), 66.1105 (4) (c), 66.1105 (4) (gm) 4. a.,
5 66.1105 (4) (gm) 4. bm., 66.1105 (4) (gm) 6., 66.1105 (4m) (b) 2., 66.1105 (6) (a)
6 8., 66.1105 (6) (g) 3., 70.05 (4m), 70.47 (7) (aa), 227.115 (2) (title), 227.115 (3)
7 (title), 227.115 (3) (a) (intro.), 227.115 (3) (a) 2., 227.115 (3) (a) 3., 227.115 (3) (b),
8 227.15 (1) and 706.05 (2m) (b) 1.; *to repeal and recreate* 227.115 (1) and
9 227.19 (3) (g); and *to create* 13.099 (3) (a) 6., 13.099 (3) (c), 13.099 (3) (d), 59.692
10 (1k) (a) 2. c., 66.1105 (2) (n) 1., 66.1105 (2) (n) 2., 66.1105 (2) (o), 66.1105 (4) (gm)
11 4. am., 66.1105 (6) (a) 14., 66.1105 (7) (ak) 5., 70.05 (4n), 101.63 (5m), 227.115
12 (2) (b), 227.115 (3) (a) 6., 227.115 (3) (c), 227.115 (3) (d), 348.16 (3) (d) and 349.16
13 (3) (d) of the statutes; **relating to:** review by the Department of Safety and

1 Professional Services of the state electrical wiring code applicable to
2 one-family and two-family dwellings; the legal description required for
3 recording an easement for the construction, operation, or maintenance of sewer
4 lines or facilities; land development; effect of changes in requirements for
5 development-related permits or authorizations on persons who apply for the
6 permits or authorizations; exempting certain vehicles delivering propane from
7 class B highway weight limitations and certain special or seasonal weight
8 limitations; a property owner's right to refuse entry into his or her home for
9 assessment purposes; reviews of and reports on bills and proposed
10 administrative rules that affect housing; maintenance and construction
11 activities on certain structures under a county shoreland zoning ordinance; and
12 making an appropriation.

Analysis by the Legislative Reference Bureau

INTRODUCTION

This substitute amendment makes various changes relating to the following:

1. Review by the Department of Safety and Professional Services of the state electrical wiring code applicable to one-family and two-family dwellings.
2. The legal description required for recording an easement for the construction, operation, or maintenance of sewer lines or facilities.
3. Expanding the use of tax incremental financing for workforce housing development and requiring a reduction in the amount of certain impact fees.
4. The effect of changes in requirements for development-related permits or authorizations on persons who apply for the permits or authorizations.
5. Exempting certain vehicles delivering propane from class B highway weight limitations and certain special or seasonal weight limitations.
6. Reviews of and reports on bills and proposed administrative rules that affect housing.
7. Prohibits a Department of Natural Resources shoreland zoning standard and a county shoreland zoning ordinance from restricting certain maintenance and construction activities with respect to certain structures.

REVIEW OF STATE ELECTRICAL WIRING CODE

This substitute amendment requires the DSPS to review, once every six years, those portions of the state electrical wiring code that apply to one-family and

two-family dwellings. In reviewing the code, DSPS must consult with the Uniform Dwelling Code Council and any council or committee created by the secretary of DSPS to advise DSPS regarding the code.

FORMAL REQUISITES FOR RECORDING SEWER EASEMENTS

This substitute amendment provides that a document that is recorded in the real estate records does not need to contain a full legal description of an easement for the construction, operation, or maintenance of sewer lines or facilities. Under current law, with certain exceptions, a document that affects title to land in this state that is recorded in the real estate records must contain a full legal description of the property affected by the document. One exception provides that a full legal description is not required for a description of an easement for the construction, operation, or maintenance of electric, gas, railroad, water, telecommunications, or telephone lines or facilities. The substitute amendment adds sewers to the types of easements that are not required to have a full legal description.

TAX INCREMENTAL FINANCING, IMPACT FEES

This substitute amendment authorizes the creation of workforce housing development tax incremental districts and changes the method of imposing certain impact fees.

Under the current tax incremental financing program, a city or village may create a TID in part of its territory to foster development under certain conditions. Currently, towns and counties also have a limited ability to create a TID under certain limited circumstances. Before a city or village may create a TID, several steps and plans are required. These steps and plans include public hearings on the proposed TID within specified time frames, preparation and adoption by the local planning commission of a proposed project plan for the TID, approval of the proposed project plan by the common council or village board, approval of the city's or village's proposed TID by a joint review board (JRB) that consists of members who represent the overlying taxation districts, and adoption of a resolution by the common council or village board that creates the TID as of a date provided in the resolution.

Also under current law, once a TID has been created, the Department of Revenue calculates the "tax incremental base" value of the TID, which is the equalized value of all taxable property within the TID at the time of its creation. If the development in the TID increases the value of the property in the TID above the base value, a "value increment" is created. That portion of taxes collected on the value increment in excess of the base value is called a "tax increment." The tax increment is placed in a special fund that may be used only to pay back the project costs of the TID.

The project costs of a TID, which are initially incurred by the creating city or village, include public works such as sewers, streets, and lighting systems; financing costs; site preparation costs; and professional service costs. DOR authorizes the allocation of the tax increments until the TID terminates or, generally, 20 years, 23 years, or 27 years after the TID is created, depending on the type of TID and the year in which it was created. Also under current law, a city or village may not generally make expenditures for project costs later than five years before the unextended termination date of the TID. Under certain circumstances, the life of the TID, the

expenditure period, and the allocation period may be extended. A TID is required to terminate, under current law and with some exceptions, once its project costs are paid back.

Generally under current law, project costs may be expended to benefit residential development but only certain TIDs for which a project plan was approved before September 30, 1995, or for a mix-use development. With regard to a mixed-use development, lands proposed for newly platted residential use may not exceed 35 percent, by area, of real property within the TID.

Under the substitute amendment, a workforce housing TID may contain only newly platted residential uses, 100 percent of which must be workforce housing. Before such a TID may be created, the JRB must approve the TID by a unanimous vote. For other TIDs, only a majority vote is required. A workforce housing TID has a maximum life of 15 years, and DOR may allocate tax increments for only 15 years.

Also under the substitute amendment, workforce housing is defined to mean housing based on the following two factors, which are subject to the five year average median costs as determined by the U.S. bureau of census:

1. Housing that costs no more than 30 percent of the household's gross median income.
2. The construction cost per housing unit, including rental housing, is no more than 80 percent of the median price for new residential construction in the county.

Under current law, if a city, village, or town imposes an impact fee on a developer to pay for certain capital costs that are necessary to accommodate land development, the ordinance may provide for an exemption from, or a reduction in the amount of, impact fees on land development that provides low-cost housing. Under this substitute amendment, the impact fee exemption or reduction provisions also apply to workforce housing. Current law prevents the shifting of an exemption from or reduction in impact fees to any other development in the land development in which the low-cost housing is located. The substitute amendment applies this provision to workforce housing as well.

DEVELOPMENT REGULATION

Under current law, if a project requires more than one approval or approvals from more than one political subdivision and the applicant identifies the full scope of the project at the time of filing the application for the first approval required for the project, the existing requirements applicable in each political subdivision at the time of filing are applicable to all subsequent approvals required for the project.

Under this substitute amendment, for any project that requires an approval, if the applicant identifies the full scope of the project at the time of filing the application for the first approval required for the project, the existing requirements applicable in each political subdivision from which a subsequent approval is necessary at the time of filing are applicable to all subsequent approvals required for the project.

PROPANE TRANSPORT

Under current law, in general, no person may operate on a highway any vehicle or combination of vehicles that exceeds certain statutory weight limits unless that person obtains a permit issued by the Department of Transportation or a local

highway authority. Among the weight limitations are, generally, limitations on the gross weight imposed on the highway by the wheels of any one axle or by consecutive axles of the vehicle. In general, the maximum weight that may be imposed on the highway by one axle is 20,000 pounds and the maximum weight that may be imposed on the highway by two axles is 35,000 pounds if the axles are eight feet apart and 34,000 pounds if the axles are less than eight feet apart.

Also under current law, local highway authorities may impose special or seasonal weight limitations on highways that, because of deterioration or climatic conditions, would likely be seriously damaged or destroyed if limitations were not imposed. For vehicles carrying certain commodities or being used to perform certain services, local highway authorities may set different weight limitations or exempt the vehicles from the special or seasonal weight limitations if an exemption or limitation is in the interest of public health, safety, and welfare.

Local authorities may also designate highways under their jurisdiction as class "B" highways. With limited exceptions, the maximum gross weight and per-axle vehicle weight for vehicles on a class "B" highway is 60 percent of the weight allowed by statute if the vehicles were operating on a highway that is not designated as a class "B" highway.

This substitute amendment provides that special or seasonal weight limitations imposed by a highway authority and class "B" highway weight limitations do not apply to a motor vehicle that is being operated to deliver propane for heating purposes if the gross weight imposed on the highway by the vehicle does not exceed 30,000 pounds, for a vehicle with a single rear axle, or 40,000 pounds, for a vehicle with tandem rear axles, and, if the motor vehicle is a tank vehicle, the tank is loaded to no more than 50 percent of the capacity of the tank. The substitute amendment provides that a tank vehicle must be equipped with a gauge on the tank that shows the amount of propane in the tank as a percent of capacity of the tank and must carry documentation of the capacity of the tank either on the cargo tank or in the cab of the vehicle.

PROPERTY OWNER RIGHTS REGARDING ASSESSMENTS

Current law prohibits a person from appearing before the board of review to contest the assessed value of the person's property if the person has refused a reasonable written request from the assessor to view the property. A person who is prohibited from appearing before the board of review is also barred from filing a claim for an excessive assessment with the taxation district.

This substitute amendment allows a person who has refused an assessor's request to view the interior of a person's residence to appear before the board of review to contest the property's assessed value and, ultimately, to file a claim with the taxation district for an excessive assessment. The substitute amendment also provides that the assessor may not increase the value of a person's property based solely on the person's refusal to allow entry to the assessor. In addition, the substitute amendment requires an assessor to provide written notice to each owner of residential property regarding the property owner's right to refuse entry to his or her residence for property tax assessment purposes. Finally, the substitute

amendment retains the authority of the assessor under current law to enter onto property to conduct an exterior inspection of the property.

REPORTS ON BILLS AND RULES AFFECTING HOUSING

Current law requires the Department of Administration to prepare a report on any bill or any proposed administrative rule that directly or substantially affects the development, construction, cost, or availability of housing in this state. A report for a bill must be completed within 30 days after the bill affecting housing is introduced, and a report for a proposed rule must be completed within 30 days after the rule is submitted to DOA and must be completed before the rule is submitted to the Legislative Council Staff for review. A report on either a bill or a proposed rule that affects housing must include information on the effect of the bill or proposed rule on the state housing strategy plan, the cost of constructing, rehabilitating, improving, or maintaining housing, the cost and availability of financing to purchase or develop housing, the purchase price of housing, and other housing costs such as rent, utilities and property taxes.

This substitute amendment does all of the following with respect to reports on bills or rules affecting housing:

1. Retitles such a report a “housing impact analysis.”
2. Requires a housing impact analysis for any bill or proposed rule that may increase or decrease, either directly or indirectly, the cost of the development, construction, financing, purchasing, sale, ownership, or availability of housing in this state.
3. Makes various changes to the information and analysis that is required to be included in a housing impact analysis and specifies how that information is expressed in the report.
4. With respect to a housing impact analysis for a proposed rule, requires the agency proposing the rule, rather than DOA, to prepare the housing impact analysis. The substitute amendment also requires that a housing impact analysis be included in an agency’s submission to the Legislative Council Staff during the rule-making process and that an agency prepare a revised housing impact analysis if the housing impact of the rule is significantly changed.

SHORELAND ZONING

Under current law, a county must enact a shoreland zoning ordinance for all shorelands in its unincorporated area and the ordinance may not regulate a matter more restrictively than the matter is regulated by shoreland zoning standards established by DNR by rule. Current law defines a shoreland to be an area within a specified distance from the edge of a navigable water.

Under current law, generally, a shoreland zoning standard and a county shoreland zoning ordinance may not require any approval or impose any fee or mitigation requirement for, or otherwise prohibit or regulate, the maintenance, repair, replacement, restoration, rebuilding, or remodeling of all or any part of certain structures if the activity does not expand the footprint of the existing structure. Under current law, those structures include a nonconforming structure and a structure of which any part is legally located in the shoreland setback area by operation of a variance, and certain specified structures that were legally

constructed in the shoreland setback area; the bill adds a building or structure in violation of a county shoreland zoning ordinance that may not be enforced because of a ten-year statute of limitations.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 13.099 (2) of the statutes is amended to read:

2 13.099 (2) ~~REPORT ON~~ ANALYSIS OF BILLS AFFECTING HOUSING. (a) If any bill that
3 is introduced in either house of the legislature ~~directly or substantially affects~~ may
4 increase or decrease, either directly or indirectly, the cost of the development,
5 construction, ~~cost,~~ financing, purchasing, sale, ownership, or availability of housing
6 in this state, the department shall prepare a ~~report on~~ housing impact analysis for
7 the bill within 30 days after it is introduced. The department may request any
8 information from other state agencies, local governments, or individuals, or
9 organizations that is reasonably necessary for the department to prepare the ~~report~~
10 analysis.

11 (b) A bill that requires a ~~report by the department~~ housing impact analysis
12 under this section shall have that requirement noted on its jacket when the jacket
13 is prepared. When a bill that requires a ~~report~~ housing impact analysis under this
14 section is introduced, the legislative reference bureau shall submit a copy of the bill
15 to the department.

16 (c) ~~The report~~ A housing impact analysis prepared under this section shall be
17 printed as an appendix to that applicable bill and shall be distributed in the same
18 manner as amendments.

19 **SECTION 2.** 13.099 (3) (title) of the statutes is amended to read:

1 13.099 (3) (title) FINDINGS OF THE DEPARTMENT TO BE CONTAINED IN ~~THE REPORT~~
2 HOUSING IMPACT ANALYSIS.

3 **SECTION 3.** 13.099 (3) (a) (intro.) of the statutes is amended to read:

4 13.099 (3) (a) (intro.) ~~The report of the department~~ A housing impact analysis
5 shall contain information about the effect of the bill on housing in this state,
6 including information on the effect of the bill on all of the following:

7 **SECTION 4.** 13.099 (3) (a) 2. of the statutes is amended to read:

8 13.099 (3) (a) 2. The cost of developing, constructing, rehabilitating, improving
9 ~~or, maintaining single family, or owning single-family~~ or multifamily dwellings.

10 **SECTION 5.** 13.099 (3) (a) 3. of the statutes is amended to read:

11 13.099 (3) (a) 3. The purchase price of housing new homes or the fair market
12 value of existing homes.

13 **SECTION 6.** 13.099 (3) (a) 6. of the statutes is created to read:

14 13.099 (3) (a) 6. The density, location, setback, size, or height of development
15 on a lot, parcel, land division, or subdivision.

16 **SECTION 7.** 13.099 (3) (b) of the statutes is amended to read:

17 13.099 (3) (b) ~~The report~~ A housing impact analysis shall analyze the relative
18 impact of the effects of the bill on low- and moderate-income households.

19 **SECTION 8.** 13.099 (3) (c) of the statutes is created to read:

20 13.099 (3) (c) 1. Except as provided in subd. 2., a housing impact analysis shall
21 provide reasonable estimates of the information under pars. (a) and (b) expressed as
22 dollar figures and shall include descriptions of the immediate effect and, if
23 ascertainable, the long-term effect. The department shall include a brief summary
24 or worksheet of computations used in determining any such dollar figures.

1 2. If, after careful consideration, the department determines that it is not
2 possible to make an estimate expressed as dollar figures as provided in subd. 1., the
3 analysis shall instead contain a statement to that effect setting forth the reasons for
4 that determination.

5 **SECTION 9.** 13.099 (3) (d) of the statutes is created to read:

6 13.099 **(3)** (d) Except as otherwise specified in par. (a), a housing impact
7 analysis shall be prepared on the basis of a median-priced single-family residence
8 but may include estimates for larger developments as an analysis of the long-term
9 effect of the bill.

10 **SECTION 10.** 59.692 (1k) (a) 2. of the statutes is renumbered 59.692 (1k) (a) 2.
11 (intro.) and amended to read:

12 59.692 **(1k)** (a) 2. (intro.) Except as provided in par. (b), requires any approval
13 or imposes any fee or mitigation requirement for, or otherwise prohibits or regulates,
14 the maintenance, repair, replacement, restoration, rebuilding, or remodeling of all
15 or any part of ~~a~~ any of the following if the activity does not expand the footprint of
16 the structure:

17 a. A nonconforming structure ~~or a.~~

18 b. A structure of which any part is legally located in the shoreland setback area
19 by operation of a variance granted before July 13, 2015, ~~if the activity does not~~
20 ~~expand the footprint of the structure.~~

21 **SECTION 11.** 59.692 (1k) (a) 2. c. of the statutes is created to read:

22 59.692 **(1k)** (a) 2. c. A building or structure in violation of a county shoreland
23 zoning ordinance that, under sub. (1t), may not be enforced.

24 **SECTION 12.** 66.0617 (7) of the statutes is amended to read:

1 66.0617 (7) LOW-COST, WORKFORCE HOUSING. An ordinance enacted under this
2 section may provide for an exemption from, or a reduction in the amount of, impact
3 fees on land development that provides low-cost housing, ~~except that no~~ or workforce
4 housing, as defined in s. 66.1105 (2) (n). Under no circumstances may the amount
5 of an impact fee for which an exemption or reduction is provided under this
6 subsection may be shifted to any other development in the land development in
7 which the low-cost housing or workforce housing is located or to any other land
8 development in the municipality.

9 **SECTION 13.** 66.10015 (2) (b) of the statutes is amended to read:

10 66.10015 (2) (b) If a project requires more than one approval or approvals from
11 ~~more than one~~ or more political subdivision subdivisions and the applicant identifies
12 the full scope of the project at the time of filing the application for the first approval
13 required for the project, the existing requirements applicable in each political
14 subdivision at the time of filing the application for the first approval required for the
15 project shall be applicable to all subsequent approvals required for the project, unless
16 the applicant and the political subdivision agree otherwise.

17 **SECTION 14.** 66.1105 (2) (ab) of the statutes is renumbered 66.1105 (2) (n)
18 (intro.) and amended to read:

19 66.1105 (2) (n) (intro.) “Affordable Workforce housing” means housing ~~that~~
20 ~~costs a household no more than 30 percent of the household’s gross monthly income.~~
21 to which all of the following apply, as adjusted for family size and the county in which
22 the household is located, based on the county’s 5 year average median income and
23 housing costs as calculated by the U.S. bureau of census in its American community
24 survey:

25 **SECTION 15.** 66.1105 (2) (f) 3. (intro.) of the statutes is amended to read:

1 66.1105 (2) (f) 3. (intro.) Notwithstanding subd. 1., project costs may include
2 any expenditures made or estimated to be made or monetary obligations incurred or
3 estimated to be incurred by the city for newly platted residential development only
4 for any tax incremental district for which a project plan is approved before
5 September 30, 1995, for any workforce housing development, or for a mixed-use
6 development tax incremental district to which one of the following applies:

7 **SECTION 16.** 66.1105 (2) (n) 1. of the statutes is created to read:

8 66.1105 (2) (n) 1. The housing costs a household no more than 30 percent of the
9 household's gross median income.

10 **SECTION 17.** 66.1105 (2) (n) 2. of the statutes is created to read:

11 66.1105 (2) (n) 2. With regard to a workforce housing development district, the
12 construction cost per housing unit, including rental housing, is no more than 80
13 percent of the median price for new residential construction in the county.

14 **SECTION 18.** 66.1105 (2) (o) of the statutes is created to read:

15 66.1105 (2) (o) "Workforce housing development" means development that
16 contains only newly platted residential uses, and 100 percent of the residential
17 development must be workforce housing.

18 **SECTION 19.** 66.1105 (4) (c) of the statutes is amended to read:

19 66.1105 (4) (c) Identification of the specific property to be included under par.
20 (gm) 4. as blighted, in need of workforce housing, or in need of rehabilitation or
21 conservation work. Owners of the property identified shall be notified of the
22 proposed finding and the date of the hearing to be held under par. (e) at least 15 days
23 prior to the date of the hearing. In cities with a redevelopment authority under s.
24 66.1333, the notification required under this paragraph may be provided with the

1 notice required under s. 66.1333 (6) (b) 3., if the notice is transmitted at least 15 days
2 prior to the date of the hearing to be held under par. (e).

3 **SECTION 20.** 66.1105 (4) (gm) 4. a. of the statutes is amended to read:

4 66.1105 (4) (gm) 4. a. ~~Not~~ Except as provided in subd. 4. am., not less than 50
5 percent, by area, of the real property within the district is at least one of the following:
6 a blighted area; in need of rehabilitation or conservation work, as defined in s.
7 66.1337 (2m) (a); suitable for industrial sites within the meaning of s. 66.1101 and
8 has been zoned for industrial use; or suitable for mixed-use development; and

9 **SECTION 21.** 66.1105 (4) (gm) 4. am. of the statutes is created to read:

10 66.1105 (4) (gm) 4. am. If the district is a workforce housing development
11 district, 100 percent, by area, of the real property within the district is suitable for
12 a workforce housing development district and will be used for workforce housing.

13 **SECTION 22.** 66.1105 (4) (gm) 4. bm. of the statutes, as affected by 2017
14 Wisconsin Act 15, is amended to read:

15 66.1105 (4) (gm) 4. bm. The project costs relate directly to eliminating blight,
16 directly serve to rehabilitate or conserve the area, directly increase workforce
17 housing, or directly serve to promote industrial or mixed-use development,
18 consistent with the purpose for which the tax incremental district is created under
19 subd. 4. a. or am.; and

20 **SECTION 23.** 66.1105 (4) (gm) 6. of the statutes is amended to read:

21 66.1105 (4) (gm) 6. Declares that the district is a blighted area district, a
22 rehabilitation or conservation district, an industrial district, a workforce housing
23 development district, or a mixed-use district based on the identification and
24 classification of the property included within the district under par. (c) and subd. 4.
25 a. or am. If the district is not exclusively blighted, rehabilitation or conservation,

1 industrial, workforce housing, or mixed use, the declaration under this subdivision
2 shall be based on which classification is predominant with regard to the area
3 described in subd. 4. a.

4 **SECTION 24.** 66.1105 (4m) (b) 2. of the statutes is amended to read:

5 66.1105 (4m) (b) 2. No tax incremental district may be created and no project
6 plan may be amended unless the board approves the resolution adopted under sub.
7 (4) (gm) or (h) 1., and no tax incremental base may be redetermined under sub. (5)
8 (h) unless the board approves the resolution adopted under sub. (5) (h) 1., by a
9 majority vote within 45 days after receiving the resolution, except that with regard
10 to a workforce housing development district, the board must approve the resolution
11 adopted under sub. (4) (gm) or (h) 1. by a unanimous vote. With regard to a
12 multijurisdictional tax incremental district created under this section, each public
13 member of a participating city must be part of the majority that votes for approval
14 of the resolution or the district may not be created. The board may not approve the
15 resolution under this subdivision unless the board's approval contains a positive
16 assertion that, in its judgment, the development described in the documents the
17 board has reviewed under subd. 1. would not occur without the creation of a tax
18 incremental district. The board may not approve the resolution under this
19 subdivision unless the board finds that, with regard to a tax incremental district that
20 is proposed to be created by a city under sub. (17) (a), such a district would be the only
21 existing district created under that subsection by that city.

22 **SECTION 25.** 66.1105 (6) (a) 8. of the statutes is amended to read:

23 66.1105 (6) (a) 8. Twenty-seven years after the tax incremental district is
24 created if the district is created on or after October 1, 2004, and if the district is a
25 district specified under sub. (4) (gm) 6. other than a district specified under subd. 7.

1 or 14. If the life of the district is extended under sub. (7) (am) 3. an allocation under
2 this subdivision may be made 30 years after such a district is created. If the life of
3 the district is extended under sub. (7) (am) 4., an allocation under this subdivision
4 may be made for not more than an additional 3 years after allocations would
5 otherwise have been terminated under this subdivision. For a tax incremental
6 district created after March 3, 2016, the period during which a tax increment may
7 be allocated under this subdivision shall be increased by one year if that district's
8 project plan is adopted under sub. (4) (g) after September 30 and before May 15.

9 **SECTION 26.** 66.1105 (6) (a) 14. of the statutes is created to read:

10 66.1105 (6) (a) 14. Fifteen years after the tax incremental district is created if
11 the district is a workforce housing development district.

12 **SECTION 27.** 66.1105 (6) (g) 3. of the statutes is amended to read:

13 66.1105 (6) (g) 3. If a city receives tax increments as described in subd. 2., the
14 city shall use at least 75 percent of the increments received to benefit affordable
15 workforce housing in the city. The remaining portion of the increments shall be used
16 by the city to improve the city's housing stock.

17 **SECTION 28.** 66.1105 (7) (ak) 5. of the statutes is created to read:

18 66.1105 (7) (ak) 5. For a workforce housing development district, 15 years after
19 the district is created.

20 **SECTION 29.** 70.05 (4m) of the statutes is amended to read:

21 70.05 (4m) A taxation district assessor may not enter upon a person's real
22 property for purposes of conducting an assessment under this chapter more than
23 once in each year, except that an assessor may enter upon a person's real property
24 for purposes of conducting an assessment under this chapter more often if the
25 property owner consents. A property owner may deny entry to an assessor of the

1 interior of the owner's residence if the owner has given prior notice to the assessor
2 that the assessor may not enter the property interior of the residence without the
3 property owner's permission. Each taxation district assessor shall create and
4 maintain a database identifying all such property owners in the taxation district.
5 A property owner's refusal to allow the assessor to enter the interior of the owner's
6 residence shall not preclude the property owner from appearing before the board of
7 review to object to the property's valuation, as provided under s. 70.47 (7), and the
8 assessor may not increase the property's valuation based solely on the property
9 owner's refusal to allow entry.

10 **SECTION 30.** 70.05 (4n) of the statutes is created to read:

11 70.05 (4n) (a) If a taxation district assessor is requesting to view the interior
12 of a residence, the assessor shall provide written notice to the property owner of the
13 property owner's rights regarding the inspection of the interior of the owner's
14 residence. The notice shall be in substantially the following form:

15 **PROPERTY OWNER RIGHTS**

16 You have the right to refuse entry into your residence pursuant to section 70.05
17 (4m) of the Wisconsin statutes. Entry to view your property is prohibited unless
18 voluntarily authorized by you in writing. Pursuant to section 70.05 (4m) of the
19 Wisconsin statutes, you have the right to refuse a visual inspection of the interior of
20 your residence and your refusal to allow an interior inspection of your residence will
21 not result in an increased property tax assessment. Refusing entry to your residence
22 also does not prohibit you from objecting to your assessment pursuant to section
23 70.47 (7) of the Wisconsin statutes. Please indicate your consent or refusal to allow
24 an interior visual inspection of your residence by checking the appropriate box below
25 and signing your name:

1 Do you consent to the assessor's entry into the interior of your property?

2 () Yes

3 () No

4 (Printed name)

5 (Signature)

6 (Date)

7 (b) A property owner who completes the form under par. (a) shall return the
8 completed form to the taxation district assessor in the time and manner determined
9 by the taxation district. If the property owner indicates on the form that he or she
10 denies entry to the property, the taxation district assessor shall add that information
11 to the database created and maintained under sub. (4m).

12 **SECTION 31.** 70.47 (7) (aa) of the statutes is amended to read:

13 70.47 (7) (aa) No person shall be allowed to appear before the board of review,
14 to testify to the board by telephone or to contest the amount of any assessment of real
15 or personal property if the person has refused a reasonable written request by
16 certified mail of the assessor to ~~view such property~~ enter onto property to conduct an
17 exterior view of the real or personal property being assessed.

18 **SECTION 32.** 101.63 (5m) of the statutes is created to read:

19 101.63 (5m) Once every 6 years, review those portions of the state electrical
20 wiring code promulgated by the department under s. 101.82 (1) that apply to
21 dwellings. In its review, the department shall consult with the uniform dwelling code
22 council and any council or committee created by the secretary to advise the
23 department regarding the state electrical wiring code.

24 **SECTION 33.** 227.115 (1) of the statutes is repealed and recreated to read:

1 227.115 (1) DEFINITION. In this section, “state housing strategy plan” means the
2 plan developed under s. 16.302.

3 **SECTION 34.** 227.115 (2) (title) of the statutes is amended to read:

4 227.115 (2) (title) ~~REPORT ON~~ ANALYSIS OF RULES AFFECTING HOUSING.

5 **SECTION 35.** 227.115 (2) of the statutes is renumbered 227.115 (2) (a) and
6 amended to read:

7 227.115 (2) (a) If a proposed rule ~~directly or substantially affects~~ may increase
8 or decrease, either directly or indirectly, the cost of the development, construction,
9 cost, financing, purchasing, sale, ownership, or availability of housing in this state,
10 the ~~department~~ agency promulgating the proposed rule shall prepare a ~~report on the~~
11 housing impact analysis for the proposed rule before it is submitted to the legislative
12 council staff under s. 227.15. The ~~department~~ agency may request any information
13 from other state agencies, local governments, or individuals or organizations that is
14 reasonably necessary for the ~~department~~ agency to prepare the report.—The
15 ~~department shall prepare the report within 30 days after the rule is submitted to the~~
16 ~~department~~ analysis.

17 **SECTION 36.** 227.115 (2) (b) of the statutes is created to read:

18 227.115 (2) (b) On the same day that the agency submits the housing impact
19 analysis to the legislative council staff under s. 227.15 (1), the agency shall also
20 submit that analysis to the department of administration, to the governor, and to the
21 chief clerks of each house of the legislature, who shall distribute the analysis to the
22 presiding officers of their respective houses, to the chairpersons of the appropriate
23 standing committees of their respective houses, as designated by those presiding
24 officers, and to the cochairpersons of the joint committee for review of administrative
25 rules. If a proposed rule is modified after the housing impact analysis is submitted

1 under this paragraph so that the housing impact of the proposed rule is significantly
2 changed, the agency shall prepare a revised housing impact analysis for the proposed
3 rule as modified. A revised housing impact analysis shall be prepared and submitted
4 in the same manner as an original housing impact analysis is prepared and
5 submitted.

6 **SECTION 37.** 227.115 (3) (title) of the statutes is amended to read:

7 227.115 (3) (title) ~~FINDINGS OF THE DEPARTMENT TO BE CONTAINED IN THE REPORT~~
8 HOUSING IMPACT ANALYSIS.

9 **SECTION 38.** 227.115 (3) (a) (intro.) of the statutes is amended to read:

10 227.115 (3) (a) (intro.) ~~The report of the department~~ A housing impact analysis
11 shall contain information about the effect of the proposed rule on housing in this
12 state, including information on the effect of the proposed rule on all of the following:

13 **SECTION 39.** 227.115 (3) (a) 2. of the statutes is amended to read:

14 227.115 (3) (a) 2. The cost of developing, constructing, rehabilitating,
15 improving ~~or~~, maintaining single family, or owning single-family or multifamily
16 dwellings.

17 **SECTION 40.** 227.115 (3) (a) 3. of the statutes is amended to read:

18 227.115 (3) (a) 3. The purchase price of housing new homes or the fair market
19 value of existing homes.

20 **SECTION 41.** 227.115 (3) (a) 6. of the statutes is created to read:

21 227.115 (3) (a) 6. The density, location, setback, size, or height of development
22 on a lot, parcel, land division, or subdivision.

23 **SECTION 42.** 227.115 (3) (b) of the statutes is amended to read:

24 227.115 (3) (b) ~~The report~~ A housing impact analysis shall analyze the relative
25 impact of the effects of the proposed rule on low- and moderate-income households.

1 **SECTION 43.** 227.115 (3) (c) of the statutes is created to read:

2 227.115 (3) (c) 1. Except as provided in subd. 2., a housing impact analysis shall
3 provide reasonable estimates of the information under pars. (a) and (b) expressed as
4 dollar figures and shall include descriptions of the immediate effect and, if
5 ascertainable, the long-term effect. The agency shall include a brief summary or
6 worksheet of computations used in determining any such dollar figures.

7 2. If, after careful consideration, the agency determines that it is not possible
8 to make an estimate expressed as dollar figures as provided in subd. 1., the analysis
9 shall instead contain a statement to that effect setting forth the reasons for that
10 determination.

11 **SECTION 44.** 227.115 (3) (d) of the statutes is created to read:

12 227.115 (3) (d) Except as otherwise specified in par. (a), a housing impact
13 analysis shall be prepared on the basis of a median-priced single-family residence
14 but may include estimates for larger developments as an analysis of the long-term
15 effect of the proposed rule.

16 **SECTION 45.** 227.115 (5) of the statutes is repealed.

17 **SECTION 46.** 227.15 (1) of the statutes, as affected by 2017 Wisconsin Act 57,
18 is amended to read:

19 227.15 (1) SUBMITTAL TO LEGISLATIVE COUNCIL STAFF. Prior to a public hearing
20 on a proposed rule required under s. 227.16 or, if no such public hearing is required,
21 prior to notice under s. 227.19, an agency shall submit the proposed rule to the
22 legislative council staff for review. The proposed rule shall be in the form required
23 under s. 227.14 (1), and shall include the material required under s. 227.14 (2), (3),
24 and (4), any housing impact analysis required under s. 227.115 (2) (a), any revised
25 housing impact analysis required under s. 227.115 (2) (b), the economic impact

1 analysis required under s. 227.137 (2), and any revised economic impact analysis
2 required under s. 227.137 (4). An agency may not hold a public hearing on a proposed
3 rule or give notice under s. 227.19 until after it has received a written report of the
4 legislative council staff review of the proposed rule or until after the initial review
5 period of 20 working days under sub. (2) (intro.), whichever comes first. An agency
6 may give notice of a public hearing prior to receipt of the legislative council staff
7 report. This subsection does not apply to rules promulgated under s. 227.24.

8 **SECTION 47.** 227.19 (3) (g) of the statutes is repealed and recreated to read:

9 227.19 (3) (g) Any housing impact analysis prepared under s. 227.115 (2) (a)
10 and any revised housing impact analysis prepared under s. 227.115 (2) (b).

11 **SECTION 48.** 348.16 (3) (d) of the statutes is created to read:

12 348.16 (3) (d) Subsection (2) does not apply to a motor vehicle that is being
13 operated to deliver propane for heating purposes if the gross weight imposed on the
14 highway by the vehicle does not exceed 30,000 pounds, for a vehicle with a single rear
15 axle, or 40,000 pounds, for a vehicle with tandem rear axles, and, if the motor vehicle
16 is a tank vehicle, the tank is loaded to no more than 50 percent of the capacity of the
17 tank. A tank vehicle operated under this paragraph shall be equipped with a gauge
18 on the tank that shows the amount of propane in the tank as a percent of the capacity
19 of the tank and shall carry documentation of the capacity of the tank either on the
20 cargo tank or in the cab of the vehicle.

21 **SECTION 49.** 349.16 (3) (d) of the statutes is created to read:

22 349.16 (3) (d) The authority in charge of the maintenance of the highway shall
23 exempt from the special or seasonal weight limitations imposed under sub. (1) (a) a
24 motor vehicle that is being operated to deliver propane for heating purposes if the
25 gross weight imposed on the highway by the vehicle does not exceed 30,000 pounds,

1 for a vehicle with a single rear axle, or 40,000 pounds, for a vehicle with tandem rear
2 axles, and, if the motor vehicle is a tank vehicle, the tank is loaded to no more than
3 50 percent of the capacity of the tank. A tank vehicle operated under this paragraph
4 shall be equipped with a gauge on the tank that shows the amount of propane in the
5 tank as a percent of the capacity of the tank and shall carry documentation of the
6 capacity of the tank either on the cargo tank or in the cab of the vehicle. A motor
7 vehicle operated under this paragraph shall, to the extent practicable, make
8 deliveries on seasonally weight-restricted roads at times of the day when the
9 highways used are the least vulnerable.

10 **SECTION 50.** 706.05 (2m) (b) 1. of the statutes is amended to read:

11 706.05 (2m) (b) 1. Descriptions of easements for the construction, operation,
12 or maintenance of electric, gas, railroad, water, sewer, telecommunications, or
13 telephone lines or facilities.

14 **SECTION 51. Initial applicability.**

15 (1) FORMAL REQUISITES FOR RECORDING SEWER EASEMENTS. The treatment of
16 section 706.05 (2m) (b) 1. of the statutes first applies to a description of an easement
17 that is recorded on the effective date of this subsection.

18 (2) DEVELOPMENT REGULATION. The treatment of section 66.10015 (2) (b) of the
19 statutes first applies to an application for an approval that is filed on the effective
20 date of this subsection.

21 (3) HOUSING IMPACT ANALYSES FOR BILLS. The treatment of section 13.099 (2) and
22 (3) (title), (a) (intro.), 2., 3., 6., (b), (c), and (d) of the statutes first applies to a bill
23 introduced on the effective date of this subsection.

24 (4) HOUSING IMPACT ANALYSES FOR RULES. The treatment of sections 227.115 (1),
25 (2) (b), (3) (title), (a) (intro.), 2., 3., and 6., (b), (c), and (d), and (5), 227.15 (1), and

1 227.19 (3) (g) of the statutes, the renumbering and amendment of section 227.115 (2)
2 of the statutes, and the amendment of section 227.115 (2) (title) of the statutes first
3 apply to a proposed rule whose statement of scope is presented for approval under
4 section 227.135 (2) of the statutes on the effective date of this subsection.

5

(END)