



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBs0156/1
JK:kjf

**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 158**

October 24, 2017 - Offered by Senator CRAIG.

1 **AN ACT** *to amend* 70.05 (4m), 70.47 (1), 70.47 (7) (aa) and 70.47 (7) (af); and *to*
2 *create* 70.05 (4n) of the statutes; **relating to:** a property's owner's right to
3 refuse entry into his or her home for assessment purposes.

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

4 **SECTION 1.** 70.05 (4m) of the statutes is amended to read:

5 70.05 (4m) A taxation district assessor may not enter upon a person's real
6 property for purposes of conducting an assessment under this chapter more than
7 once in each year, except that an assessor may enter upon a person's real property
8 for purposes of conducting an assessment under this chapter more often if the
9 property owner consents. A property owner may deny entry to an assessor of the
10 interior of the owner's residence if the owner has given prior notice to the assessor
11 that the assessor may not enter the ~~property~~ interior of the residence without the

1 property owner's permission. Each taxation district assessor shall create and
2 maintain a database identifying all such property owners in the taxation district.
3 A property owner's refusal to allow the assessor to enter the interior of the owner's
4 residence shall not preclude the property owner from appearing before the board of
5 review to object to the property's valuation, as provided under s. 70.47 (7), and the
6 assessor may not increase the property's valuation based solely on the property
7 owner's refusal to allow entry.

8 **SECTION 2.** 70.05 (4n) of the statutes is created to read:

9 70.05 (4n) If a taxation district assessor is requesting to view the interior of a
10 residence, the assessor shall provide written notice to the property owner of the
11 property owner's rights regarding the inspection of the interior of the owner's
12 residence. The notice shall be in substantially the following form:

13 **PROPERTY OWNER RIGHTS**

14 You have the right to refuse entry into your residence pursuant to section 70.05
15 (4m) of the Wisconsin statutes. Entry to view your property is prohibited unless
16 voluntarily authorized by you. Pursuant to section 70.05 (4m) of the Wisconsin
17 statutes, you have the right to refuse a visual inspection of the interior of your
18 residence and your refusal to allow an interior inspection of your residence will not
19 be used as the sole reason for increasing your property tax assessment. Refusing
20 entry to your residence also does not prohibit you from objecting to your assessment
21 pursuant to section 70.47 (7) of the Wisconsin statutes. Please indicate your consent
22 or refusal to allow an interior visual inspection of your residence.

23 **SECTION 3.** 70.47 (1) of the statutes is amended to read:

24 70.47 (1) **TIME AND PLACE OF MEETING.** The board of review shall meet annually
25 at any time during the ~~30-day~~ 45-day period beginning on the ~~2nd~~ 4th Monday of

1 May April, but no sooner than 7 days after the last day on which the assessment roll
2 is open for examination under s. 70.45. In towns and villages the board shall meet
3 at the town or village hall or some place designated by the town or village board. If
4 there is no such hall, it shall meet at the clerk's office, or in towns at the place where
5 the last annual town meeting was held. In cities the board shall meet at the council
6 chamber or some place designated by the council and in cities of the 1st class in some
7 place designated by the commissioner of assessments of such cities. A majority shall
8 constitute a quorum except that 2 members may hold any hearing of the evidence
9 required to be held by such board under subs. (8) and (10), if the requirements of sub.
10 (9) are met.

11 **SECTION 4.** 70.47 (7) (aa) of the statutes is amended to read:

12 70.47 (7) (aa) No person shall be allowed to appear before the board of review,
13 to testify to the board by telephone or to contest the amount of any assessment of real
14 or personal property if the person has refused a reasonable written request by
15 certified mail of the assessor to ~~view such property~~ enter onto property to conduct an
16 exterior view of the real or personal property being assessed.

17 **SECTION 5.** 70.47 (7) (af) of the statutes is amended to read:

18 70.47 (7) (af) No person may appear before the board of review, testify to the
19 board by telephone or object to a valuation; if that valuation was made by the
20 assessor or the objector using the income method; unless no later than 7 days before
21 the first meeting of the board of review the person supplies to the assessor all of the
22 information about income and expenses, as specified in the manual under s. 73.03
23 (2a), that the assessor requests. The municipality or county shall provide by
24 ordinance for the confidentiality of information about income and expenses that is
25 provided to the assessor under this paragraph and shall provide exceptions for

1 persons using the information in the discharge of duties imposed by law or of the
2 duties of their office or by order of a court. The information that is provided under
3 this paragraph, ~~unless a court determines that it is inaccurate,~~ is not subject to the
4 right of inspection and copying under s. 19.35 (1) unless a court determines before
5 the first meeting of the board of review that the information is inaccurate.

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(END)