WISCONSIN LEGISLATIVE COUNCIL
ACT MEMO

2009 Wisconsin Act 170 **[2009 Senate Bill 116]**	**Tax Incremental District #4** **Village of Elmwood**

Under current law, the equalized value of taxable property of a tax incremental district (TID) plus the value increment of all existing districts may not exceed 12% of the total equalized value of taxable property within the city or village. In determining the equalized value of taxable property, the Department of Revenue (DOR) must base its calculations on the most recent equalized value of taxable property of the district that is reported to the district by DOR before the date on which the resolution under this paragraph is adopted. In order to create a TID, a governmental unit must adopt a resolution that describes the TID's boundaries, and states that the addition of the proposed TID does not exceed the 12% test.

Under Act 170, notwithstanding the 12% test, if the Village of Elmwood created or attempted to create TID #4 on January 1, 2006, based on the village board's resolution dated May 8, 2006, the tax incremental base of the TID must be calculated by DOR as if the TID had been created on January 1, 2006. In addition, until the TID terminates, DOR must also allocate tax increments and treat the district in all other respects as if the district had been created on January 1, 2006, except that DOR may not certify a valued tax increment to the city clerk before 2010.

Effective date: 2009 Wisconsin Act 170 takes effect on March 30, 2010.

Prepared By: Laura Rose, Deputy Director   April 28, 2010

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