



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 195

Assembly Amendment 1

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Under current law, a lien is placed upon the property of a person who does not pay his or her income or franchise taxes. The lien remains in effect until the person pays the tax and any interest, addition to tax, penalty, or costs. The Department of Revenue (DOR) is required to file a tax warrant with the circuit court clerk in the county where the person's property is located, which provides notice of the lien. The filing fee, which is paid by the DOR to the circuit court clerk, is \$5.

Assembly Bill 195 provides that a lien for unpaid income or franchise taxes remains in effect for 20 years or until the person pays the amount of the unpaid tax, interest, addition to tax, penalty, or costs, whichever comes first. The bill provides that the DOR may renew the lien after the expiration period by filing a new warrant with the circuit court clerk. No filing fee is imposed on the filing of a renewal lien.

Assembly Amendment 1 provides that the 20-year period during which the lien remains in effect begins on the date on which the lien is filed with the circuit court clerk. The amendment also provides that the DOR may renew a lien for an indefinite number of 20-year periods until the tax and any interest, addition to tax, penalty, or costs are paid.

Legislative History

The Assembly Committee on Ways and Means adopted Assembly Amendment 1 by a vote of Ayes, 12; Noes, 0, and recommended Assembly Bill 195, as amended, for passage by a vote of Ayes, 12; Noes, 0, on May 14, 2003.

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