



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 54

**Assembly Substitute
Amendment 1 and Assembly
Amendment 1 to the Substitute
Amendment**

Memo published: March 10, 2003

Contact: Don Dyke, Senior Staff Attorney (266-0292)

Under **current law**, the following requirements apply to the sale of tax delinquent real property that has been acquired by a county,* other than Milwaukee County: (1) public notice (Class 3 notice -- three insertions) must precede the sale and must include the appraised value of the property; and (2) the county must reject every bid that is less than the property's appraised value but the county may accept the bid "most advantageous to it." Section 75.69 (1), Stats. Current law also authorizes a county to sell real property previously advertised for sale, without readvertising, for an amount equal to or above the appraised value.

The **substitute amendment** authorizes a county to sell tax delinquent real property that was previously advertised for sale for **any** amount if: (1) public notice of the sale is given by the publication of a Class I notice (one insertion); (2) if the property is sold for less than the property's appraised value, the county board or a committee designated by the county board reviews and approves the sale; and (3) if the property is sold for less than the highest bid, the county board or committee designated by the board prepares a written statement, available for public inspection, explaining the reasons for accepting a bid less than the highest bid.

The substitute amendment revises the original bill in the following ways: (1) requires the notice for advertising the subsequent sale to be a Class I, rather than Class III, notice and clarifies that the subsequent notice need not include the appraised value of the real property; (2) substitutes "county board or committee designated by the county board" for "county finance committee" in connection with functions when property is sold for less than appraised value or less than the highest bid; and (3) eliminates the definition of "appraised value" (defined in the original bill as the value determined by a certified appraiser).

*The City of Milwaukee is also authorized to acquire and sell tax delinquent property and is subject to these requirements by operation of s. 75.06, Stats.

Assembly Amendment 1 to the substitute amendment defines “appraised value,” for purposes of the provision on sales of tax delinquent property, as the value determined, at the discretion of the county board, by the county board, a committee designated by the county board, or a certified appraiser, as defined in s. 458.01 (7), Stats. Currently, the term is undefined.

Both Assembly Substitute Amendment 1 and Assembly Amendment 1 to the Substitute Amendment were introduced by the Assembly Committee on Urban and Local Affairs. The Assembly Committee on Urban and Local Affairs recommended adoption of each amendment by a vote of Ayes, 8, Noes, 0 on March 4, 2003.

DD:jal:ksm;tlu