



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Assembly Bill 657

Senate Amendments 1 and 2

Memo published: January 25, 2006

Contact: Ronald Sklansky, Senior Staff Attorney (266-1946)

Assembly Bill 657

The bill prohibits the condemnation of property that is not blighted if the condemnor intends to convey or lease the condemned property to a private entity.

The bill defines “blighted property” based on various conditions that result in blight, such as dilapidation. In addition to this definition of “blighted property,” the bill adds an additional requirement for blighted property that consists of only one dwelling unit. Even if property that contains only one dwelling unit otherwise meets the conditions for the “blighted property” definition, the property is not deemed to be “blighted property” unless it meets either of the following conditions: (1) it is not occupied by the owner, the owner’s spouse, or specified individuals related to the owner; or (2) the crime rate in, on, or adjacent to the property is higher than in the remainder of the municipality in which the property is located.

Before commencing the condemnation of property that is asserted to be blighted, the condemnor must make written findings and provide a copy of the findings to the owner of the property. The findings must include all of the following: (1) the scope of the redevelopment project encompassing the owner’s property; (2) a legal description of the redevelopment area that includes the owner’s property; (3) the purpose of the condemnation; and (4) a finding that the owner’s property is blighted and the reasons for that finding.

Senate Amendment 1

Again, the bill prohibits the condemnation of non-blighted property when the condemning party intends to convey or lease the acquired property to a private entity. Senate Amendment 1 limits the scope of the prohibition by applying it only to a county, town, village, city, or school district, the Department of Health and Family Services, the Department of Corrections, the Board of Regents of the University of Wisconsin System, other public boards or commissions, a housing authority, a

redevelopment authority, a community development authority, a local cultural arts district, or a local exposition district.

Senate Amendment 2

Senate Amendment 2 amends the second condition for determining whether a property with only one dwelling unit is blighted. The amendment provides that the property will be considered blighted if the crime rate in, on, or adjacent to the property is at least three times the crime rate in the remainder of the municipality in which the property is located.

Legislative History

On January 18, 2006, the Senate Committee on Judiciary, Corrections, and Privacy took the following actions:

1. Introduced and adopted Senate Amendment 1 on a vote of Ayes, 4; Noes, 1.
2. Introduced and adopted Senate Amendment 2 on a vote of Ayes, 5; Noes, 0.
3. Recommended passage of Assembly Bill 657, as amended, on a vote of Ayes, 3; Noes, 2.

RS:tlu