



2023 ASSEMBLY BILL 348

July 17, 2023 - Introduced by Representatives SAPIK, ARMSTRONG, DONOVAN, EDMING, GREEN, OHNSTAD, SCHMIDT, ROZAR and WITTKE, cosponsored by Senators QUINN and TOMCZYK. Referred to Committee on Ways and Means.

1 **AN ACT** *to amend* 66.0615 (1m) (a); and *to create* 66.0615 (1m) (em), 229.425
2 and 229.46 (8) of the statutes; **relating to:** the creation of a local exposition
3 district by the City of Superior.

Analysis by the Legislative Reference Bureau

Generally, under current law, a political subdivision may create a local exposition district, either singly or with another political subdivision. A local exposition district is a unit of government that is separate from the political subdivision that creates it and has powers related to establishing and operating an exposition center.

This bill makes changes to the local exposition district law that apply only to future districts created by the City of Superior (Superior exposition districts). Under the bill, the primary uses of a Superior exposition district may include sporting tournaments, and the structures included in the district may include those intended for use by transient tourists. A Superior exposition district may impose and collect a food and beverage tax and may impose and collect a room tax at a maximum rate of 2 percent. The bill limits the maximum amount of bond proceeds that the district may issue for development and construction of an exposition center to \$20,300,000. Before an enabling resolution adopted by the City of Superior to create a Superior exposition district may take effect, it must be approved in a referendum by a majority of the electors in the city voting on the resolution.

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For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 66.0615 (1m) (a) of the statutes is amended to read:

2 66.0615 **(1m)** (a) The governing body of a municipality may enact an ordinance,
3 and a district, under par. (e) or (em), may adopt a resolution, imposing a tax on the
4 sales price from selling or furnishing, at retail, except sales for resale, rooms or
5 lodging to transients by hotelkeepers, motel operators, marketplace providers,
6 owners of short-term rentals, and other persons or retailers selling or furnishing
7 accommodations that are available to the public, irrespective of whether
8 membership is required for use of the accommodations. A tax imposed under this
9 paragraph may be collected from the consumer or user, but may not be imposed on
10 sales to the federal government and persons listed under s. 77.54 (9a). A tax imposed
11 under this paragraph by a municipality shall be paid to the municipality and, with
12 regard to any tax revenue that may not be retained by the municipality, shall be
13 forwarded by the municipality to a tourism entity or a commission if one is created
14 under par. (c), as provided in par. (d). Except as provided in par. (am), a tax imposed
15 under this paragraph by a municipality may not exceed 8 percent of the sales price.
16 Except as provided in par. (am), if a tax greater than 8 percent of the sales price under
17 this paragraph is in effect on May 13, 1994, the municipality imposing the tax shall
18 reduce the tax to 8 percent, effective on June 1, 1994.

19 **SECTION 2.** 66.0615 (1m) (em) of the statutes is created to read:

20 66.0615 **(1m)** (em) Notwithstanding par. (e), if a district created by the city of
21 Superior adopts a resolution imposing a room tax under par. (a), the amount of the

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1 tax may not exceed 2 percent of total room charges, and the city of Superior may also
2 impose and collect a room tax under par. (a) without regard to whether the district
3 imposes a room tax as provided in this paragraph.

4 **SECTION 3.** 229.425 of the statutes is created to read:

5 **229.425 Creation of a district, city of Superior.** (1) PROVISIONS THAT DO
6 NOT APPLY TO CERTAIN DISTRICTS. With regard to any district that is created by the city
7 of Superior on or after the effective date of this subsection [LRB inserts date], the
8 following provisions do not apply:

9 (a) Section 229.40.

10 (b) Section 229.50 (1) (a) and (e).

11 (c) Subchapter IX of ch. 77.

12 **(2) MODIFICATION OF PROVISIONS RELATING TO NEW DISTRICTS.** (a) *Definition.* With
13 regard to any district that is created by the city of Superior on or after the effective
14 date of this subsection [LRB inserts date], notwithstanding s. 229.41 (6),
15 “exposition center” means one or more related structures, including fixtures and
16 equipment, owned, operated, or leased by a district and used primarily for
17 conventions, expositions, trade shows, musical or dramatic events, other events
18 involving educational, cultural, or commercial activities, or sporting tournaments
19 and intended to be used by transient tourists and to generate tourism activity
20 including paid overnight stays and purchases at establishments where the taxes
21 under s. 77.98 are imposed.

22 (b) *Bonding limitations.* 1. The maximum amount of bond proceeds that a
23 district created under this section may receive from bonds issued to fund the
24 development and construction of an exposition center is \$20,300,000. The district
25 may receive additional proceeds from the bonds to pay issuance or administrative

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1 costs related to the bonds, to make deposits in reserve funds related to the bonds, to
2 pay accrued or funded interest on the bonds, and to pay the costs of credit
3 enhancement for the bonds.

4 2. Notwithstanding the provisions of s. 229.50 (1) (c), the amount of all bonds,
5 other than refunding bonds, that may be secured by all special debt service reserve
6 funds of a district created under this section shall not exceed \$20,000,000.

7 (c) *Dissolution of a district.* Notwithstanding the provisions of s. 229.477,
8 subject to providing for the payment of its bonds, including interest on the bonds, and
9 the performance of its other contractual obligations, a district created under this
10 section shall be dissolved by the joint action of the district's board of directors and
11 the city of Superior.

12 (3) REFERENDUM REQUIREMENTS. Before an enabling resolution adopted by the
13 city of Superior under s. 229.42 (1) (a) may take effect, it must be approved by a
14 majority of the electors in the city voting on the resolution at a referendum, to be held
15 at the first spring or general election following by at least 70 days the date of adoption
16 of the resolution.

17 **SECTION 4.** 229.46 (8) of the statutes is created to read:

18 229.46 (8) With regard to a district created by the city of Superior, the district
19 shall contract with a local tourism entity, as defined in s. 66.0615 (1) (f), to promote,
20 advertise, and publicize its exposition center, exposition center facilities, and related
21 activities.

22 (END)