2003 SENATE BILL 333

December 3, 2003 – Introduced by Senators ROBSON and RISSER, cosponsored by Representatives TOWNS, BERCEAU, MILLER, MUSSER and YOUNG. Referred to Committee on Economic Development, Job Creation and Housing.

1   AN ACT *to amend* 289.33 (3) (d); and *to create* 59.53 (25) of the statutes;

2   **relating to:** authorizing counties to build, furnish, and rent housing facilities

3   to county residents.

Analysis by the Legislative Reference Bureau

Under current law, any county with a population of at least 500,000 (currently only Milwaukee County) may build, furnish, and rent housing facilities to residents of the county, and may borrow money or accept grants from the federal government for or in support of any such projects. Milwaukee County may also enter into contracts, mortgages, leases, or other agreements that the federal government may require as part of such projects. Current law authorizes Milwaukee County to do anything that is necessary to secure the financial aid of the federal government in any undertaking in this area, including participating in federal housing programs by providing housing subsidies or allowances.

Current law also authorizes any county to create a housing authority, under the same law that may be used by a city, village, or town, and a city, village, town, or county (political subdivision) may prepare, acquire, and operate housing projects that are approved by the local governing body (common council or village, town or county board). Such a housing authority may also borrow money, issue bonds, and acquire real property by eminent domain. A housing authority may also borrow money or accept grants from the federal government for any housing project that the authority undertakes, and may act in other respects as does Milwaukee County in attempting to secure the financial aid and cooperation of the federal government in this area.

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A housing authority that is created by a political subdivision is a body politic that is an independent entity that is separate and distinct from its creating political subdivision.

Under this bill, any county may, without creating a housing authority, build, furnish, and rent housing facilities to residents of the county and may act in all other respects as Milwaukee County may currently act in the area of housing projects.

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. 59.53 (25) of the statutes is created to read:

2   59.53 **(25)** HOUSING FACILITIES. The board may build, furnish, and rent housing

3   facilities to residents of the county. The board may also borrow money or accept

4   grants from the federal government for or in aid of any project to build, furnish, and

5   rent such housing facilities, to take over any federal lands, and to such ends enter

6   into contracts, mortgages, trust indentures, leases, or other agreements that the

7   federal government may require. A board may do anything necessary to secure the

8   financial aid and the cooperation of the federal government in any undertaking by

9   the county that is authorized by this subsection, including providing housing

10   subsidies or allowances by participation in federal government housing programs.

11   SECTION 2. 289.33 (3) (d) of the statutes is amended to read:

12   289.33 **(3)** (d) "Local approval" includes any requirement for a permit, license,

13   authorization, approval, variance or exception or any restriction, condition of

14   approval or other restriction, regulation, requirement or prohibition imposed by a

15   charter ordinance, general ordinance, zoning ordinance, resolution or regulation by

16   a town, city, village, county or special purpose district, including without limitation

17   because of enumeration any ordinance, resolution or regulation adopted under s.

18   59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2), (5), (6), (7), (8), (9),

1   (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26) and (27),

2   59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19), (20) ~~and~~, (23), and

3   (25), 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10), (11), (12),

4   (16), (17), (18), (19), (20), (21), (22), (23), (24), (25) and (26), 59.55 (3), (4), (5) and (6),

5   59.56 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16), 59.57 (1), 59.58

6   (1) and (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70 (1), (2), (3), (5),

7   (7), (8), (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (4), (5), (6), (7), (8), (10) and

8   (11), 59.792 (2) and (3), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34, 61.35,

9   61.351, 61.354, 62.11, 62.23, 62.231, 62.234, 66.0101, 66.0415, 87.30, 91.73, 196.58,

10   200.11 (8), 236.45, 281.43 or 349.16 or subch. VIII of ch. 60.

11   **(END)**