



2005 ASSEMBLY BILL 756

October 13, 2005 – Introduced by Representatives UNDERHEIM, GOTTLIEB, BERCEAU, STEINBRINK, VAN AKKEREN, HINES and WARD. Referred to Committee on Urban and Local Affairs.

1 **AN ACT** *to create* 59.606 and 66.0318 of the statutes; **relating to:** the
2 apportionment of law enforcement services costs among counties and
3 municipalities and creating a police services levy limit for certain counties.

Analysis by the Legislative Reference Bureau

Under current law, a county may levy taxes and appropriate funds to pay the costs of providing the services that it is authorized to provide, such as law enforcement, public works, parks, housing authorities, and museums. In general, such taxes are imposed on all residents of a county without regard to whether the residents live in cities, villages, or towns that are located within the county.

Current law also authorizes a county to levy taxes and expend money to support public library services. However, if a city, village, town, or school district (local governmental unit) that is located in a county that levies taxes for public library services appropriates and expends its own revenue for a library fund, that local governmental unit is, in general, exempted from having to pay the portion of the county tax levy that is used for library services if the local governmental unit applies in writing to the county for such an exemption.

Under this bill, if a municipality (a city, village, or town) with a population of at least 10,000, or a group of municipalities with an aggregate population of at least 10,000, provides law enforcement services for 24 hours per day, that municipality, or group, is exempted from having to pay the portion of the county tax levy that is used for any part of the county's sheriff's department patrol and investigative services if the municipality, or group, provides the county with written certification that the municipality provides such services to its residents.

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Also under this bill, a county may not increase that part of its levy that funds a sheriff's services to a municipality that has a police department and that is not otherwise exempted from that part of the county levy as provided under the bill.

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.** 59.606 of the statutes is created to read:

2 **59.606 Police services levy limits. (1) DEFINITIONS.** In this section:

3 (a) "Debt levy" has the meaning given in s. 59.605 (1) (a).

4 (b) "Municipality" means a city, village, or town that has a police department
5 that provides patrol and investigative services.

6 (c) "Operating levy" has the meaning given in s. 59.605 (1) (d).

7 **(2) LEVY LIMIT.** The portion of a county's operating levy that funds the county
8 sheriff's patrol and investigative services, which are provided to a municipality that
9 is not exempted from the county levy, as described in s. 66.0318 (2), may not increase
10 on or after the effective date of this subsection [revisor inserts date].

11 **SECTION 2.** 66.0318 of the statutes is created to read:

12 **66.0318 County-municipal law enforcement services costs. (1)**

13 DEFINITION. In this section, "municipality" means a city, village, or town.

14 **(2) EXEMPTION FROM TAX LEVY.** (a) Any municipality with a population of at least
15 10,000, or any group of municipalities with an aggregate population of at least 10,000
16 that provides police protection services as described under par. (b), upon providing
17 written notification to the county board of the county in which the municipality is
18 located, is exempted from the portion of the county tax levy that is used to pay for any
19 part of the county's sheriff's department patrol and investigative services if the

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1 municipality certifies in its written notification that it provides such services to its
2 residents for 24 hours per day.

3 (b) A group of municipalities with an aggregate population of at least 10,000
4 may act under par. (a) if each municipality provides the written certification
5 described under par. (a) and if all of the residents of the group of municipalities
6 receive police protection services under one of the following methods:

7 1. By entering into an intergovernmental cooperation agreement for police
8 protection services under s. 66.0301.

9 2. By contracting with the other municipalities under s. 60.56 (1) (a) 3. or 61.65
10 (1) (a) 2.

11 3. By creating a joint police department under s. 60.56 (1) (a) 2., 61.65 (1) (a)
12 3., or 62.13 (2m).

13 **SECTION 3. Initial applicability.**

14 (1) The treatment of section 66.0318 of the statutes first applies to a county tax
15 levy for the fiscal year that begins on January 1 of the year after this subsection takes
16 effect.

17 (END)