2019 ASSEMBLY BILL 472

September 24, 2019 – Introduced by Representatives LOUDENBECK, MURSAU, MURPHY, MILROY and DITTRICH, cosponsored by Senators NASS, FEYEN and WANGGAARD. Referred to Committee on Ways and Means.

1   AN ACT **to amend** 66.0602 (3) (h) 1., 66.0602 (3) (h) 2. a. and 66.0602 (3) (h) 2.

2   b. of the statutes; **relating to:** an exception from local levy limits for certain

3   amounts levied for charges assessed by a joint emergency medical services

4   department.

Analysis by the Legislative Reference Bureau

Generally under current law, local levy limits are applied to the property tax levies that are imposed in December of each year. Current law prohibits any city, village, town, or county (political subdivision) from increasing its levy by a percentage that exceeds its "valuation factor," which is defined as the greater of either 0 percent or the percentage change in the political subdivision's equalized value due to new construction, less improvements removed. In addition, the calculation of a political subdivision's levy does not include any tax increment that is generated by a tax incremental district.

Current law contains a number of exceptions to the levy limit, such as amounts a county levies for a countywide emergency medical system, for a county children with disabilities education board, and for certain bridge and culvert construction and repair. In addition, a political subdivision may exceed the levy limit that is otherwise applicable if its governing body adopts a resolution to do so and if that resolution is approved by the electors in a referendum.

Another current law exception (the joint fire department exception) is for the amount that a city, village, or town (municipality) levies to pay for charges assessed by a joint fire department, but only to the extent that the amount levied to pay for

such charges would cause the municipality to exceed the otherwise applicable levy limit. This exception to the levy limit applies only if the charges assessed by a joint fire department increase in the current year by an amount equal to or less than the rate of inflation over the preceding year, plus 2 percent, and if the municipality's governing body adopts a resolution in favor of exceeding the otherwise applicable levy limit.

Under this bill, the joint fire department exception is expanded so that it also applies to the amount that a municipality levies to pay for charges assessed by a joint emergency medical services district, subject to the same conditions and limitations as current apply to a joint fire department. The bill first applies to a levy that is imposed in December 2019.

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. 66.0602 (3) (h) 1. of the statutes is amended to read:

2   66.0602 **(3)** (h) 1. Subject to subd. 2., the limit otherwise applicable under this

3   section does not apply to the amount that a city, village, or town levies in that year

4   to pay for charges assessed by a joint fire department or a joint emergency medical

5   services district, but only to the extent that the amount levied to pay for such charges

6   would cause the city, village, or town to exceed the limit that is otherwise applicable

7   under this section.

8   SECTION 2. 66.0602 (3) (h) 2. a. of the statutes is amended to read:

9   66.0602 **(3)** (h) 2. a. The total charges assessed by the joint fire department or

10   the joint emergency medical services district for the current year increase, relative

11   to the total charges assessed by the joint fire department or the joint emergency

12   medical services district for the previous year, by a percentage that is less than or

13   equal to the percentage change in the U.S. consumer price index for all urban

14   consumers, U.S. city average, as determined by the U.S. department of labor, for the

15   12 months ending on September 30 of the year of the levy, plus 2 percent.

1   **SECTION 3.** 66.0602 (3) (h) 2. b. of the statutes is amended to read:

2   66.0602 **(3)** (h) 2. b. The governing body of each city, village, and town that is

3   served by the joint fire department <u>or the joint emergency medical services district</u>

4   adopts a resolution in favor of exceeding the limit as described in subd. 1.

5   **SECTION 4. Initial applicability.**

6   (1) This act first applies to a levy that is imposed in December 2019.

7   **(END)**