



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-4535/1
JK:skw

2023 SENATE BILL 543

October 23, 2023 - Introduced by Senators SMITH, L. JOHNSON, HESSELBEIN, LARSON and AGARD, cosponsored by Representatives RATCLIFF, JOERS, BARE, C. ANDERSON, MOORE OMOKUNDE, ORTIZ-VELEZ, SINICKI, CONLEY, EMERSON, J. ANDERSON, SNODGRASS, VINING, SHELTON, CABRERA, SUBECK, BALDEH, CONSIDINE, PALMERI, SHANKLAND, JACOBSON, CLANCY and ANDRACA. Referred to Committee on Government Operations.

1 **AN ACT** *to repeal* 66.0144; and *to amend* 59.52 (25) of the statutes; **relating to:**
2 eliminating the advisory referenda restrictions under 2023 Wisconsin Act 12.

Analysis by the Legislative Reference Bureau

Under current law, a county may not conduct a countywide advisory referendum except for an advisory referendum regarding a political subdivision revenue sharing agreement or capital expenditures proposed to be funded by the county property tax levy. In addition, current law prohibits a municipality from conducting an advisory referendum except for an advisory referendum regarding tax incremental financing, a local government telecommunications utility, or capital expenditures proposed to be funded by the municipality's property tax levy.

This bill eliminates the above restrictions and allows a county or municipality to conduct advisory referenda for any purpose, which a county or municipality was allowed to do prior to enactment of 2023 Wisconsin Act 12.

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

3 **SECTION 1.** 59.52 (25) of the statutes, as affected by 2023 Wisconsin Act 12, is
4 amended to read:

5 59.52 (25) **ADVISORY AND CONTINGENT REFERENDA.** The board may conduct a
6 countywide referendum for advisory purposes or for the purpose of ratifying or

SENATE BILL 543**SECTION 1**

1 validating a resolution adopted or ordinance enacted by the board contingent upon
2 approval in the referendum. ~~The board may not conduct a referendum for advisory~~
3 ~~purposes, except as provided under s. 66.0305 (6) or for an advisory referendum~~
4 ~~regarding capital expenditures proposed to be funded by the county property tax~~
5 ~~levy.~~

6 **SECTION 2.** 66.0144 of the statutes, as created by 2023 Wisconsin Act 12, is
7 repealed.

8 (END)