WISCONSIN LEGISLATIVE COUNCIL
ACT MEMO

2003 Wisconsin Act 34 [2003 Senate Bill 188]	Tax Incremental Districts in the City of Kenosha
2003 Acts: www.legis.state.wi.us/2003/data/acts/	Act Memos: www.legis.state.wi.us/lc/act_memo/act_memo.htm

2003 Wisconsin Act 34 makes various changes to laws governing tax incremental districts (TIDs) in Kenosha.

Expenditure Period

Act 34 extends the expenditure period for TIDs created before January 1, 2004 in Kenosha that donate tax increments to TIDs in Kenosha where development is affected by environmental contamination ("contaminated TID") from 12 years to 17 years after the district is created.

Boundary Amendment Period

Act 34 increases the boundary amendment period for a TID located in Kenosha from 7 years to 17 years.

Pooling Authority

Under current law, a TID project may be extended when the tax increments of one TID (the "donor" TID) have been shifted to another TID within the city (the "donee" TID) because development in the donee TID has been affected by environmental contamination and that project's costs could not have been fully recovered within the time period. However, the allocation of positive tax increments to the district affected by environmental contamination cannot occur beyond the year 2016. Under Act 34, this time period is extended to the year 2031.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.

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Maximum Life

Currently, any TID that is amended to allow for allocation of tax increments from that TID to a second TID that has been affected by environmental contamination must be terminated before the sum of the number of years for which expenditures are made in the second TID and tax increments from the original TID are allocated exceeds 37 years. Act 34 changes this time period to 42 years for a TID in Kenosha created before October 1, 1995.

Expenditure Period Following Amendment

Currently, during the seven years after a TID is created, a planning commission may adopt an amendment to a project plan to modify the district's boundaries not more than once. Under Act 34, for TIDs in Kenosha that are created prior to January 1, 2004, the planning commission may adopt an amendment to modify the district's boundaries by adding contiguous territory to the district not more than once during the 17 years after the district is created.

Effective Date: This Act takes effect on August 8, 2003.

Prepared by: Laura Rose, Deputy Director May 18, 2004

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