



2011 ASSEMBLY BILL 273

1 AN ACT *to amend* 20.566 (2) (b), 70.57 (4) (a), 70.57 (4) (b) (intro.) and 70.57 (4)
2 (c); and *to create* 70.57 (4) (d) of the statutes; **relating to:** the loan program
3 for property taxes imposed as a result of an error in equalized value and making
4 an appropriation.

Analysis by the Legislative Reference Bureau

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

5 SECTION 1. 20.566 (2) (b) of the statutes is amended to read:
6 20.566 (2) (b) *Valuation error loans.* ~~The amounts in the schedule A sum~~
7 sufficient to make the payments under s. 70.57 (4) (a).

8 SECTION 2. 70.57 (4) (a) of the statutes is amended to read:
9 70.57 (4) (a) From the appropriation under s. 20.566 (2) (b), the department
10 shall provide payments to any taxation district that certifies to the department, in

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1 the manner prescribed by the department, that the most recent valuation of the
2 taxation district's property under this section is greater than it should be because of
3 a clerical, arithmetic, transpositional, or similar error made by the department, as
4 confirmed by the department, and that the amount of the overvaluation represents
5 ~~10~~ 7.5 percent or more of the taxation district's valuation under this section in the
6 year prior to the year in which the error occurred.

7 **SECTION 3.** 70.57 (4) (b) (intro.) of the statutes is amended to read:

8 70.57 (4) (b) (intro.) ~~A~~ If property tax bills for the assessment year in which
9 the error relates have been distributed to property owners, the taxation district
10 receiving payments under par. (a) shall use the payments to make loans to persons
11 who own property located in the taxation district and who are paying more property
12 taxes than they should be as a result of the error. A person may receive a loan by
13 applying, in the manner prescribed by the department, to the taxation district in
14 which the person's property is located no later than June 15 of the year following the
15 error. The state shall collect the amount of any loan issued under this paragraph as
16 a state special charge against the taxation district for the year after the year in which
17 the error occurred and the special charge shall not be included in the taxation
18 district's levy. The taxation district shall assess the loan amount as a special charge
19 against the property for which the loan was made on the property tax bill succeeding
20 the loan, as provided under ch. 74 and s. 66.0627 (1) (c). Except for interest and
21 penalties, as provided under s. 74.47, that apply to any delinquent special charge
22 based on the loan amount, neither the department nor the taxation district may
23 charge interest on any loan issued under this paragraph. The maximum loan
24 amount that a person may receive under this paragraph shall be calculated by

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1 multiplying the assessed value of the person's property by a decimal determined by
2 the department as follows:

3 **SECTION 4.** 70.57 (4) (c) of the statutes is amended to read:

4 70.57 (4) (c) ~~The~~ With regard to loans made under par. (b), the department shall
5 make the payments under par. (a) monthly, based on the amounts requested in loan
6 applications to the taxation district each month, except that the department shall
7 make no payments to a taxation district after June 30 of the year following the year
8 in which the error occurred.

9 **SECTION 5.** 70.57 (4) (d) of the statutes is created to read:

10 70.57 (4) (d) If property tax bills for the assessment year in which the error
11 relates have not been distributed to property owners, the department may make one
12 payment from the appropriation under s. 20.566 (2) (b) to the taxation district to
13 reduce the property taxes that would otherwise be imposed as a result of the error.
14 The department shall confirm the amount of the payment and provide guidance to
15 the taxation district in allocating the amount to specific parcels. In the year following
16 the error, the taxation district, with the guidance of the department, shall collect
17 from property owners in the taxation district an amount equal to the amount of the
18 payment and shall remit the amount collected to the department. The department
19 may not charge interest for any payment under this paragraph. Notwithstanding
20 s. 66.0602 or 79.05, payments under this paragraph in both the year the payment is
21 made to the taxation district and the year the taxation district returns the payment
22 to the department shall not be included in determining the taxation district's or the
23 county's levy, or allowable levy under s. 66.0602, or in determining the taxation
24 district's eligibility for, and calculation of payments, under s.79.05. Solely for
25 purposes of relating annual revenue to estimated expenses, the amounts collected

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1 and remitted to the state under this paragraph shall be deemed accrued receipts as
2 of the close of the fiscal year, but no revenue shall be deemed accrued receipts unless
3 it is deposited by this state on or before August 31.

4 **SECTION 6. Initial applicability.**

5 (1) This act first applies to valuations made in 2011.

6 (END)