

State of Wisconsin



2019 Assembly Bill 310

Date of enactment: **March 3, 2020**
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2019 WISCONSIN ACT 126

AN ACT *to amend* 66.0602 (2m) (b) 4., 66.0602 (4) (a) and 66.0602 (4) (c) of the statutes; **relating to:** holding a referendum to increase a political subdivision's levy limit.

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

SECTION 1. 66.0602 (2m) (b) 4. of the statutes is amended to read:

66.0602 (2m) (b) 4. The requirement under subd. 2. or 3. does not apply if the governing body of the political subdivision adopts a resolution that the levy limit should not be reduced and if the resolution is approved in a referendum. The procedure under sub. (4) applies to a referendum under this subdivision, except that the resolution and referendum question need not specify an amount of increase in the levy limit or the length of time for which the levy limit increase will apply ~~and the referendum question need not follow the question format under sub. (4)(c).~~

SECTION 2d. 66.0602 (4) (a) of the statutes is amended to read:

66.0602 (4) (a) A political subdivision may exceed the levy increase limit under sub. (2) if its governing body adopts a resolution to that effect and if the resolution is approved in a referendum. For purposes of this paragraph, the political subdivision may use its best estimate of its valuation factor, based on the most current data available to it. The resolution shall specify the proposed amount of increase in the levy ~~beyond the amount that is allowed under sub. (2),~~ the purpose for which the increase will be used, and whether the proposed amount

of increase is for the next fiscal year only or if it will apply on an ongoing basis. With regard to a referendum relating to ~~the 2005 levy, or any levy in an odd-numbered year thereafter,~~ the political subdivision may call a special referendum for the purpose of submitting the resolution to the electors of the political subdivision for approval or rejection. ~~With regard to a referendum relating to the 2006 levy, or any levy in an even-numbered year thereafter~~ on the same election dates as when a school board may call for a referendum under s. 121.91 (3). Otherwise, the referendum shall be held at the ~~next succeeding~~ spring primary or election or partisan primary or general election.

SECTION 3d. 66.0602 (4) (c) of the statutes is amended to read:

66.0602 (4) (c) The referendum shall be held in accordance with chs. 5 to 12. The political subdivision shall provide the election officials with all necessary election supplies. The form of the ballot shall correspond substantially with the standard form for referendum ballots under ss. 5.64 (2) and 7.08 (1) (a). The question shall be submitted as follows: "Under state law, the increase in the levy of the (name of political subdivision) for the tax to be imposed for the next fiscal year, (year), is limited to% (based on actual data or the political subdivision's best estimate), which results in a levy of \$.... Shall the (name of political subdivision) be

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

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2019 Assembly Bill 310

allowed to exceed this limit and increase the levy for the next fiscal year, (year), for (purpose for which the increase will be used), by a total of% (based on actual data or the political subdivision's best estimate), which results in a levy of \$....?". ~~In preparing the ballot question for a referendum held at a partisan primary in 2014, as it relates to the allowable amount of levy rate increase and the total amount of a levy, a county with a population of at least 30,000, but no more than 40,000, that is adjacent~~

~~to a county with a population exceeding 450,000, shall use the most recent data that it has and the most recent data that is available from the department of revenue. If the increase is for the next fiscal year only, the question shall include the percentage increase in the levy from the previous year's levy and if the increase is on an ongoing basis, the question shall include the amount of the increase for each fiscal year for which the increase applies.~~
