



2013 ASSEMBLY BILL 320

August 23, 2013 - Introduced by Representatives HINTZ, WACHS, RICHARDS, GOYKE, KOLSTE, JOHNSON, BERNARD SCHABER, DANOU, SHANKLAND, MASON, SINICKI, BERCEAU, WRIGHT, POPE, SMITH, DOYLE, C. TAYLOR, YOUNG, KAHL, CLARK, JORGENSEN, OHNSTAD, BARNES, HEBL, RINGHAND, MILROY, BILLINGS and BARCA, cosponsored by Senators RISSER and T. CULLEN. Referred to Joint Committee on Finance.

1 **AN ACT** *to amend* 13.48 (14) (b) and 16.848 (1) (a) of the statutes; **relating to:**
2 the process for sale of state-owned real property.

Analysis by the Legislative Reference Bureau

Currently, with certain exceptions, the Department of Administration (DOA), with the approval of the Building Commission, may sell or lease state-owned real property if DOA determines that the sale or lease is in the best interest of the state. The Building Commission may also sell or lease state-owned real property, subject to the same exceptions. Any sale may be either on the basis of public bids, with DOA or the commission reserving the right to reject any bid in the best interest of the state, or on the basis of negotiated prices as determined through a competitive or transparent process.

This bill provides that any sale must be on the basis of public bids, with DOA or the Building Commission reserving the right to reject any bid in the best interest of the state.

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

3 **SECTION 1.** 13.48 (14) (b) of the statutes, as affected by 2013 Wisconsin Act 20,
4 is amended to read:

ASSEMBLY BILL 320**SECTION 1**

1 13.48 (14) (b) The building commission shall sell on the basis of either public
2 bids, with the building commission reserving the right to reject any or all bids in the
3 best interest of the state, ~~or on the basis of negotiated prices as determined through~~
4 ~~a competitive or transparent process.~~ Buildings, structures and land mentioned in
5 this subsection shall be subject to general property taxes levied by those taxing
6 bodies within whose area they lie if used for commercial purposes, and shall be
7 subject to special assessments for public improvements in the same manner and to
8 the same extent as privately owned real property, subject to approval of the building
9 commission when required under s. 66.0703 (6).

10 **SECTION 2.** 16.848 (1) (a) of the statutes, as affected by 2013 Wisconsin Act 20,
11 is amended to read:

12 16.848 (1) (a) Except as provided in sub. (2), the department may offer for sale
13 any state-owned real property, if the department determines that the sale or lease
14 is in the best interest of the state, unless prohibited under the state or federal
15 constitution or federal law or the sale is conducted as a part of a procedure to enforce
16 an obligation to this state. Any sale ~~may be either~~ shall be on the basis of public bids,
17 with the department reserving the right to reject any bid in the best interest of the
18 state, ~~or on the basis of negotiated prices as determined through a competitive or~~
19 ~~transparent process.~~ If the department receives an offer to purchase or lease
20 property offered under this subsection, the department may submit a report to the
21 building commission recommending acceptance of the offer. The report shall contain
22 a description of the property and the reasons for the recommendation. The
23 department may recommend the sale or lease of property with or without the
24 approval of the agency, as defined in s. 16.52 (7), having jurisdiction over the property
25 and regardless of whether the property is included in the inventory submitted under

ASSEMBLY BILL 320

1 s. 13.48 (14) (d). If the building commission approves the proposed sale or lease, the
2 department shall submit the proposed sale or lease to the joint committee on finance
3 for approval under par. (b).

4 **SECTION 3. Initial applicability.**

5 (1) This act first applies with respect to transactions entered into on the
6 effective date of this subsection.

7 (END)