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State of Misconsin 2015 - 2016 LEGISLATURE

LRB-2480/1 MES:jld

2015 ASSEMBLY BILL 412

October 15, 2015 – Introduced by Representatives J. OTT, R. BROOKS, E. BROOKS, KOOYENGA and MURPHY, cosponsored by Senator STROEBEL. Referred to Committee on Ways and Means.

1 AN ACT to create 66.1109 (5) (d) of the statutes; relating to: changing the

assessment method for business improvement districts.

Analysis by the Legislative Reference Bureau

This bill changes the special assessment method used in business improvement districts (BIDs).

Under current law, based on the receipt of a petition from certain business owners in a designated area of a city, village, or town (municipality), a municipality may create a BID, which consists of contiguous parcels of land. A BID is governed by a board, whose members are appointed by the creating municipality's chief executive officer (mayor, city manager, village president, or town board chair). The board is required to adopt an initial operating plan for the BID, and may make changes to the operating plan each year, subject to the approval of the municipality's governing body.

The creating municipality may impose special assessments on the property in the BID and may appropriate other money to the BID. All such funds must be placed in a segregated account. Generally, the funds in the account must be spent for the benefit of the BID to put into effect its operating plan and to pay for certain required audits. Generally, the board determines how such funds are spent. The creating municipality may terminate the BID by following certain procedures that are specified in the statutes.

Under this bill, if a municipality specially assesses a mixed-use property in a BID, which is real property that is partly taxable, and partly tax-exempt or residential, the special assessment may be imposed only on the percentage of the property that is not tax-exempt or residential.

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For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

1	SECTION 1. 66.1109 (5) (d) of the statutes is created to read:
2	66.1109 (5) (d) If real property that is specially assessed as authorized under
3	this section is of mixed use such that part of the real property is exempted from
4	general property taxes under s. 70.11 or is residential, or both, and part of the real
5	property is taxable, the municipality may specially assess as authorized under this
6	section only the percentage of the real property that is not tax-exempt or residential.
7	SECTION 2. Initial applicability.
8	(1) This act first applies to a special assessment that is imposed on the effective
9	date of this subsection.

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(END)