



1995 ASSEMBLY BILL 384

May 23, 1995 - Introduced by Representatives GREEN, GARD, FREESE, HANSON, HUEBSCH, JENSEN, DUFF, AINSWORTH, ALBERS, F. LASEE, SCHNEIDERS, MUSSER, GOETSCH, RYBA, PLACHE, DOBYNS, MORRIS-TATUM, KREIBICH, SERATTI, OLSEN, LA FAVE, GROTHMAN, R. POTTER and WALKER, cosponsored by Senators ZIEN, DARLING and COWLES. Referred to Committee on Housing.

- 1 **AN ACT to create** 13.099 and 227.115 of the statutes; **relating to:** requiring a
2 review of and report on introduced bills and proposed administrative rules that
3 affect housing and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, certain types of legislation require certain reports or analyses to be completed before the legislation can be considered by the legislature. A bill that makes an appropriation, that increases or decreases an existing appropriation, or that increases or decreases state or general local government fiscal liability or revenue, must incorporate a reliable estimate of the anticipated change in appropriation authority or in state or local fiscal liability or revenue. Similarly, legislation providing for the conveyance of lake bed areas requires a report from the department of natural resources on particular aspects of the conveyance proposed in the legislation. Legislation affecting the public employe retirement system must be reported on by the joint survey committee on retirement systems and any bill concerning tax exemptions must be reported on by the joint survey committee on tax exemptions. In addition, proposed administrative rules must be analyzed for their fiscal effect and for their effect on small business.

This bill requires that any bill or any proposed administrative rule that affects housing in Wisconsin must be analyzed by the division of housing in the department of administration (DOA). Under the bill, the report must be completed within 30 days after the bill affecting housing has been introduced. For a proposed administrative rule that affects housing, the report must be completed before the rule is submitted to the joint legislative council staff for review. A report on either a bill or a proposed rule that affects housing must include information on the effect of the bill or proposed rule on the state housing strategy plan, the cost of constructing, rehabilitating, improving or maintaining housing, the cost and availability of financing to purchase or develop housing, the purchase price of housing and other housing costs such as rent, utilities and property taxes. The report must analyze the

relative impact of the bill or proposed rule on 4 specific groups of households in which income is below 100% of the median income for the area affected by the bill or proposed rule. The report must also analyze the relative impact of the bill or proposed rule on households in which income is over 100% of the area median income.

This bill authorizes DOA to promulgate rules necessary for the administration of the provisions in this bill.

For further information see the *state* 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.** 13.099 of the statutes is created to read:

2 **13.099 Review of bills affecting housing. (1) DEFINITIONS.** In this section:

3 (a) "Area median income" means whichever of the following applies:

4 1. If the legislation has statewide effect, the state median income, as
5 determined annually by the department.

6 2. If the legislation has only local effect, the county median income, as
7 determined annually by the department, of the county that is affected by the
8 legislation, or if more than one county is so affected, the median income of the
9 affected counties considered together as a group, as determined by the department.

10 (b) "Department" means the department of administration.

11 (c) "State housing strategy plan" means the plan developed under s. 16.31.

12 **(2) REPORT ON BILLS AFFECTING HOUSING.** (a) If any bill that is introduced in
13 either house of the legislature directly or indirectly affects the development,
14 construction, cost or availability of housing in this state, the department, through
15 the division of housing, shall prepare a report on the bill within 30 days after it is
16 introduced. The department may request any information from other state agencies,

1 local governments or individuals or organizations that is reasonably necessary for
2 the department to prepare the report.

3 (b) A bill that requires a report by the department under this section shall have
4 that requirement noted on its jacket when the jacket is prepared. When a bill that
5 requires a report under this section is introduced, the legislative reference bureau
6 shall submit a copy of the bill to the department.

7 (c) The report prepared under this section shall be printed as an appendix to
8 that applicable bill and shall be distributed in the same manner as amendments.

9 **(3) FINDINGS OF THE DEPARTMENT TO BE CONTAINED IN THE REPORT.** (a) The report
10 of the department shall contain information about the effect of the bill on housing in
11 this state, including information on the effect of the bill on all of the following:

12 1. The policies, strategies and recommendations of the state housing strategy
13 plan.

14 2. The cost of constructing, rehabilitating, improving or maintaining single
15 family or multifamily dwellings.

16 3. The purchase price of housing.

17 4. The cost and availability of financing to purchase or develop housing.

18 5. Housing costs, as defined in s. 16.30 (3) (a) and (b).

19 (b) The report shall analyze the relative impact of the effects of the bill on each
20 of the following:

21 1. Households in which income is less than 25% of area median income.

22 2. Households in which income is 25% to 49% of area median income.

23 3. Households in which income is 50% to 79% of area median income.

24 4. Households in which income is 80% to 99% of area median income.

25 5. Households in which income is 100% or more of area median income.

1 **(4) RULE-MAKING AUTHORITY.** The department may promulgate any rules
2 necessary for the administration of this section.

3 **SECTION 2.** 227.115 of the statutes is created to read:

4 **227.115 Review of rules affecting housing. (1) DEFINITIONS.** In this
5 section:

6 (a) "Area median income" means whichever of the following applies:

7 1. If the proposed rule has statewide effect, the state median income, as
8 determined annually by the department.

9 2. If the proposed rule has only local effect, the county median income, as
10 determined annually by the department, of the county that is affected by the
11 proposed rule, or if more than one county is so affected, the median income of the
12 affected counties considered together as a group, as determined by the department.

13 (b) "Department" means the department of administration.

14 (c) "State housing strategy plan" means the plan developed under s. 16.31.

15 **(2) REPORT ON RULES AFFECTING HOUSING.** If a proposed rule directly or indirectly
16 affects the development, construction, cost or availability of housing in this state, the
17 department, through the division of housing, shall prepare a report on the proposed
18 rule before it is submitted to the joint legislative council staff under s. 227.15. The
19 department may request any information from other state agencies, local
20 governments or individuals or organizations that is reasonably necessary for the
21 department to prepare the report.

22 **(3) FINDINGS OF THE DEPARTMENT TO BE CONTAINED IN THE REPORT.** (a) The report
23 of the department shall contain information about the effect of the proposed rule on
24 housing in this state, including information on the effect of the proposed rule on all
25 of the following:

1 1. The policies, strategies and recommendations of the state housing strategy
2 plan.

3 2. The cost of constructing, rehabilitating, improving or maintaining single
4 family or multifamily dwellings.

5 3. The purchase price of housing.

6 4. The cost and availability of financing to purchase or develop housing.

7 5. Housing costs, as defined in s. 16.30 (3) (a) and (b).

8 (b) The report shall analyze the relative impact of the effects of the proposed
9 rule on each of the following:

10 1. Households in which income is less than 25% of area median income.

11 2. Households in which income is 25% to 49% of area median income.

12 3. Households in which income is 50% to 79% of area median income.

13 4. Households in which income is 80% to 99% of area median income.

14 5. Households in which income is 100% or more of area median income.

15 **(4) APPLICABILITY.** This section does not apply to emergency rules promulgated
16 under s. 227.24.

17 **(5) RULE-MAKING AUTHORITY.** The department may promulgate any rules
18 necessary for the administration of this section.

19 **SECTION 3. Initial applicability.**

20 (1) This act first applies to a bill introduced, or proposed rule submitted to the
21 joint legislative council staff for review, on the effective date of this subsection.

22 **SECTION 4. Effective date.**

23 (1) This act takes effect on the first day of the 7th month beginning after
24 publication.

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(END)