

State of Wisconsin



2023 Senate Bill 787

Date of enactment: **March 21, 2024**

Date of publication*: **March 22, 2024**

2023 WISCONSIN ACT 135

AN ACT *to amend* 66.0602 (1) (d), 66.0602 (3) (dq) 1. (intro.) and 66.0602 (3) (dv); and *to create* 66.1105 (5) (bu) and 66.1105 (6) (g) 4. of the statutes; **relating to:** local levy increase limit calculations and exception to extension of tax incremental district lifespan for a tax incremental financing district created in the city of Evansville and limitations on the total value of taxable property that may be included in a tax incremental financing district created in the city of Evansville.

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

SECTION 1. 66.0602 (1) (d) of the statutes, as affected by 2023 Wisconsin Act 12, is amended to read:

66.0602 (1) (d) "Valuation factor" means a percentage equal to the greater of either the percentage change in the political subdivision's January 1 equalized value due to new construction less improvements removed between the previous year and the current or 0 percent. For a tax incremental district created after December 31, 2024, and for Tax Incremental District Number 10 created by the common council of the city of Evansville, the valuation factor includes 90 percent of the equalized value increase due to new construction that is located in a tax incremental district, but does not include any improvements removed in a tax incremental district.

SECTION 2. 66.0602 (3) (dq) 1. (intro.) of the statutes, as created by 2023 Wisconsin Act 12, is amended to read:

66.0602 (3) (dq) 1. (intro.) For a tax incremental district created after December 31, 2024, and for Tax Incremental District Number 10 created by the common council of the city of Evansville, if the department of revenue does not certify a value increment for the tax incremental district for the current year as a result of the district's ter-

mination, the levy increase limit otherwise applicable under this section in the current year to the political subdivision in which the district is located is increased by all of the following amounts:

SECTION 3. 66.0602 (3) (dv) of the statutes, as created by 2023 Wisconsin Act 12, is amended to read:

66.0602 (3) (dv) For a tax incremental district created after December 31, 2024, and for Tax Incremental District Number 10 created by the common council of the city of Evansville, if the department of revenue recertifies the tax incremental base of a tax incremental district as a result of the district's subtraction of territory under s. 66.1105 (4) (h) 2., the levy limit otherwise applicable under this section shall be adjusted in the first levy year in which the subtracted territory is not part of the value increment. In that year, the political subdivision in which the district is located shall increase the levy limit otherwise applicable by an amount equal to the political subdivision's maximum allowable levy for the immediately preceding year, multiplied by a percentage equal to 10 percent of the amount determined by dividing the equalized value increase, calculated as provided in par. (dq) 2., attributable to the territory that was subtracted, calculated for the previous year, by the political subdivision's

* 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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equalized value, exclusive of any tax incremental district value increments, for the previous year, all as determined by the department of revenue.

SECTION 4. 66.1105 (5) (bu) of the statutes is created to read:

66.1105 (5) (bu) The Tax Incremental District Number 10 that is created by the common council of the city of Evansville shall count as exactly 4 percent of equal-

ized value for purposes of the requirement that the total equalized value not exceed 12 percent, as described in sub. (4) (gm) 4. c.

SECTION 5. 66.1105 (6) (g) 4. of the statutes is created to read:

66.1105 (6) (g) 4. This paragraph does not apply to Tax Incremental District Number 10 in the city of Evansville.
