



1997 ASSEMBLY BILL 99

February 12, 1997 - Introduced by Representatives MURAT, GOETSCH, REYNOLDS, HASENOHRL, BOYLE and VANDER LOOP. Referred to Committee on Ways and Means.

1 **AN ACT to amend** 71.53 (2) (e) and 71.54 (2) (c) 2. of the statutes; **relating to:**
2 eligibility for the homestead tax credit.

Analysis by the Legislative Reference Bureau

Under current law, an individual is not eligible to claim the homestead tax credit if any of several conditions apply. One of the conditions that generally prohibits eligibility is that the claimant resided for the entire calendar year to which the claim relates in housing which was exempt from taxation. An exception to this general rule is if the tax-exempt housing is created under the Housing Authorities Law and the authority makes payments in lieu of taxes to the city, village or town (municipality) in which it is located for the services, improvements or facilities that are furnished to the authority by the municipality. This bill repeals this exception to the general rule.

For further information see the *state and 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:

3 **SECTION 1.** 71.53 (2) (e) of the statutes is amended to read:
4 71.53 (2) (e) The claimant resided for the entire calendar year to which the
5 claim relates in housing which was exempt from taxation under ch. 70 ~~other than~~

ASSEMBLY BILL 99**SECTION 1**

1 ~~housing for which payments in lieu of taxes are made under s. 66.40 (22),~~ except as
2 provided under s. 71.54 (2) (c) 2.

3 **SECTION 2.** 71.54 (2) (c) 2. of the statutes is amended to read:

4 71.54 (2) (c) 2. In addition to property taxes accrued or rent constituting
5 property taxes accrued under subd. 1., if the claimant moves from a homestead
6 owned by the claimant to housing that is exempt from taxation under ch. 70, ~~other~~
7 ~~than housing for which payments in lieu of taxes are made under s. 66.40 (22) and~~
8 other than a correctional or detention facility, a claim may be allowed based on
9 property taxes accrued on that former homestead for the length of time, up to the first
10 12 months, that the claimant resides in the tax-exempt housing and owns the former
11 homestead, if the claimant has attempted to sell the former homestead but has not
12 rented it out or leased it out.

13 **SECTION 3. Initial applicability.**

14 (1) This act first applies to a claim that is filed in a taxable year that begins on
15 January 1 of the year in which this subsection takes effect, and relates to property
16 taxes accrued or rent constituting property taxes accrued during the previous year,
17 except that if this subsection takes effect after July 31, this act first applies to a claim
18 that is filed in a taxable year beginning on January 1 of the year following the year
19 in which this subsection takes effect, and relates to property taxes accrued or rent
20 constituting property taxes accrued during the year in which this subsection takes
21 effect.

22 (END)