



2015 SENATE BILL 431

December 3, 2015 - Introduced by Senators OLSEN, MARKLEIN and WANGGAARD, cosponsored by Representatives KERKMAN, BILLINGS, E. BROOKS, R. BROOKS, DOYLE, JACQUE, KAHL, MURTHA, A. OTT, PETRYK, SPREITZER, SUBECK, THIESFELDT and WEATHERSTON. Referred to Committee on Revenue, Financial Institutions, and Rural Issues.

1 **AN ACT to amend** 73.09 (7) (a), 73.09 (7) (c) and 73.09 (7) (d) of the statutes;
2 **relating to:** suspending an assessor's certification.

Analysis by the Legislative Reference Bureau

Under current law, the secretary of the Department of Revenue (DOR) may revoke an assessor's certification for using fraud or deceit in obtaining certification or for any negligence, incompetence, or misconduct. Under this bill, instead of revocation, the DOR secretary may choose to suspend the assessor's certification for up to 12 months.

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.** 73.09 (7) (a) of the statutes is amended to read:
4 73.09 (7) (a) The secretary of revenue or a designee may suspend for up to 12
5 months or revoke the certification of any assessor, assessment personnel, or expert
6 appraiser for the practice of any fraud or deceit in obtaining certification, or any

SENATE BILL 431**SECTION 1**

1 negligence, incompetence, or misconduct, including making a fraudulent change in
2 the assessment roll after it is opened for examination under s. 70.47 (3).

3 **SECTION 2.** 73.09 (7) (c) of the statutes is amended to read:

4 73.09 (7) (c) The time and place for such hearing shall be fixed by the secretary
5 of revenue and a copy of the charges, together with a notice of the time and place of
6 hearing, shall be given by personal service or by registered letter with return receipt
7 requested, mailed to the last-known address of ~~such expert appraiser~~ the individual
8 charged under par. (b), at least 30 days before the hearing. ~~The expert appraiser~~
9 individual so charged shall have the right to appear personally and by counsel, to
10 cross-examine witnesses appearing against him or her, and to produce evidence and
11 witnesses in his or her own defense.

12 **SECTION 3.** 73.09 (7) (d) of the statutes is amended to read:

13 73.09 (7) (d) If, after such hearing, the secretary of revenue determines that
14 there is just cause for suspension or revocation, the secretary shall suspend or
15 revoke, as appropriate, the certificate of registration of the ~~expert appraiser~~
16 individual who was charged under par. (b) and notify ~~the expert appraiser to that~~
17 effect. The expert appraiser that individual that his or her certification has been
18 suspended or revoked. If the secretary revokes the certification, the individual shall
19 return his or her certificate to the secretary of revenue immediately on receipt of the
20 notice. The action of the secretary of revenue may be reviewed under ch. 227.

21 (END)