

1999 ASSEMBLY JOINT RESOLUTION 71

September 2, 1999 – Introduced by Representatives KREUSER, BLACK, BOCK, CARPENTER, LA FAVE, J. LEHMAN, MILLER, REYNOLDS, SINICKI, SUDER and SYKORA, cosponsored by Senator BAUMGART. Referred to Committee on Ways and Means.

1 **To amend** section 1 of article VIII of the constitution; **relating to:** real estate taxes
 2 on the first \$25,000 of assessed value of certain real property (first
 3 consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 1999 legislature on first consideration, exempts from real estate taxes the first \$25,000 of assessed value of real property that is owned, and occupied at least 51% of the year, by a resident of this state as the property owner's primary residence.

The general statement of the Wisconsin Constitution that the "rule of taxation shall be uniform" is already subject to a number of exceptions: real estate taxes may be collected in more than one way; forests, minerals, agricultural land, undeveloped land and certain kinds of personal property may be taxed differently than is other property; and nonuniform income taxes, privilege taxes and occupational taxes may be imposed.

In addition to the substantive changes, this joint resolution makes stylistic changes and breaks this section into subsections to facilitate future amendments and to avoid conflicts if other amendments to this section are proposed.

A constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

4 **Resolved by the assembly, the senate concurring, That:**

5 **SECTION 1.** Section 1 of article VIII of the constitution is amended to read:

1 [Article VIII] Section 1. The rule of taxation shall be uniform ~~but the~~ except as
2 follows:

3 (1) The legislature may empower by law authorize cities, villages or towns to
4 collect and return taxes on real estate located therein by optional methods.

5 (2) Taxes shall be levied upon such property with such classifications as to
6 forests and minerals including or separate or severed from the land, as the
7 legislature shall prescribe prescribes by law.

8 (3) Taxation of agricultural land and undeveloped land, both as defined by law,
9 need not be uniform with the taxation of each other nor with the taxation of other real
10 property.

11 (4) Taxation of merchants' stock-in-trade, manufacturers' materials and
12 finished products, and livestock need not be uniform with the taxation of real
13 property and other personal property, but the taxation of all such merchants'
14 stock-in-trade, manufacturers' materials and finished products and livestock shall
15 be uniform, except that the legislature may provide by law that the value thereof
16 shall be determined on an average basis. Taxes may also be imposed

17 (5) The legislature may by law impose taxes on incomes, privileges and
18 occupations, which taxes may be graduated and progressive, and reasonable
19 exemptions may be provided.

20 (6) The first \$25,000 of assessed value of real property that is owned, and
21 occupied at least 51% of the year, by a resident of this state as the property owner's
22 primary residence is exempt from real estate taxes, beginning with real property
23 assessed as of the January 1 after ratification of this subsection.

1 ***Be it further resolved, That*** this proposed amendment be referred to the
2 legislature to be chosen at the next general election and that it be published for 3
3 months previous to the time of holding such election.

4 **(END)**