

2003 SENATE BILL 127

April 29, 2003 – Introduced by Senators LEIBHAM, KANAVAS and MOORE, cosponsored by Representatives ZIEGELBAUER, HUBER, AINSWORTH, BALOW, BIES, BLACK, GROTHMAN, F. LASEE, J. LEHMAN, MUSSER, PETROWSKI, PLOUFF, SERATTI, A. WILLIAMS, ALBERS and M. LEHMAN. Referred to Committee on Homeland Security, Veterans and Military Affairs and Government Reform.

1 **AN ACT** *to amend* 74.11 (7), 74.12 (7) and 74.12 (8); and *to create* 74.01 (8) of the
2 statutes; **relating to:** late payments of property tax installments.

Analysis by the Legislative Reference Bureau

Under current law, installment payments of property taxes that are paid after the due date are delinquent and are, therefore, subject to interest and penalties. Under this bill, installment payments of property taxes that are paid within five working days from the due date are not delinquent, but are subject to interest at the rate of 1% per month or fraction of a month, calculated from the due date to the date on which the payments are paid.

For further information see the *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.** 74.01 (8) of the statutes is created to read:
4 74.01 (8) “Working day” has the meaning given in s. 227.01 (14).
5 **SECTION 2.** 74.11 (7) of the statutes is amended to read:
6 74.11 (7) DELINQUENT FIRST INSTALLMENT. If the first installment of taxes on real
7 property or improvements on leased land is not paid on or before January 31, the

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1 entire amount of the taxes remaining unpaid is delinquent as of February 1, except
2 that, if the installment is paid within 5 working days from the day it is due, that
3 installment is not delinquent and does not render the unpaid balance delinquent.
4 Instead, the installment shall be collected, together with interest on the unpaid
5 installment at the applicable rate under s. 74.47 (1), from February 1.

6 **SECTION 3.** 74.12 (7) of the statutes is amended to read:

7 74.12 (7) DELINQUENT FIRST INSTALLMENT. If the first installment of real
8 property taxes, personal property taxes on improvements on leased land or special
9 assessments to which an installment option pertains is not paid on or before January
10 31, the entire amount of the remaining unpaid taxes or special assessments to which
11 an installment option pertains on that parcel is delinquent as of February 1, except
12 that, if the installment is paid within 5 working days from the day it is due, that
13 installment is not delinquent and does not render the unpaid balance delinquent.
14 Instead, the installment shall be collected, together with interest on the unpaid
15 installment at the applicable rate under s. 74.47 (1), from February 1.

16 **SECTION 4.** 74.12 (8) of the statutes is amended to read:

17 74.12 (8) DELINQUENT 2ND OR SUBSEQUENT INSTALLMENT. If the 2nd or any
18 subsequent installment payment of real property taxes, personal property taxes on
19 improvements on leased land or special assessments to which an installment option
20 pertains is not paid by the due date specified in the ordinance, the entire amount of
21 the remaining unpaid taxes or special assessments to which an installment option
22 pertains on that parcel is delinquent as of the first day of the month after the
23 payment is due and interest and penalties are due under sub. (10), except that, if the
24 installment is not the final installment of the year and is paid within 5 working days
25 from the day it is due, that installment is not delinquent and does not render the

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1 unpaid balance delinquent. Instead, the installment shall be collected, together with
2 interest on the unpaid installment at the applicable rate under s. 74.47 (1), from the
3 day after the installment is due.

4 **SECTION 5. Initial applicability.**

5 (1) This act first applies to taxes based on the assessment as of the January 1
6 after publication.

7 (END)