

2003 Senate Bill 306

Date of enactment: **February 20, 2004**

Date of publication*: **March 5, 2004**

2003 WISCONSIN ACT 127

AN ACT *to renumber and amend* 66.1105 (4m) (b) 3.; *to amend* 66.1105 (5) (a); and *to create* 20.566 (1) (go), 66.1105 (4m) (b) 3. a. and b., 66.1105 (4m) (b) 4. and 73.03 (57) of the statutes; **relating to:** making changes to the Tax Incremental Financing program, authorizing the Department of Revenue to impose a fee to determine or redetermine the tax incremental base of a tax incremental financing district, and requiring the department to prepare a tax incremental financing manual.

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

SECTION 1. 20.566 (1) (go) of the statutes is created to read:

20.566 (1) (go) *Administration of tax incremental financing program.* All moneys received from the fees imposed under s. 66.1105 (5) (a) to pay the costs of the department of revenue in providing staff and administrative services associated with tax incremental districts under s. 66.1105.

SECTION 2. 66.1105 (4m) (b) 3. of the statutes is renumbered 66.1105 (4m) (b) 3. (intro.) and amended to read:

66.1105 (4m) (b) 3. (intro.) The board shall submit its decision to the city no later than 7 days after the board acts on and reviews the items in subd. 2., except that, if the board requests a department of revenue review under subd. 4., the board shall do one of the following:

SECTION 3. 66.1105 (4m) (b) 3. a. and b. of the statutes are created to read:

66.1105 (4m) (b) 3. a. Submit its decision to the city no later than 10 working days after receiving the department's written response.

b. If the city resubmits its proposal under subd. 4. no later than 10 working days after the board receives the department's written response, submit its decision to the city no later than 10 working days after receiving the city's resubmitted proposal.

SECTION 4. 66.1105 (4m) (b) 4. of the statutes is created to read:

66.1105 (4m) (b) 4. Before the joint review board submits its decision under subd. 3., a majority of the members of the board may request that the department of revenue review the objective facts contained in any of the documents listed in subd. 1. to determine whether the information submitted to the board complies with this section or whether any of the information contains a factual inaccuracy. The request must be in writing and must specify which particular objective fact or item the members believe is incomplete or inaccurate. Not later than 10 working days after receiving a request that complies with the requirements of this subdivision, the department of revenue shall investigate the issues raised in the request and shall send its written response to the board. If the department of revenue determines that the information in the proposal does not comply with this section or contains a factual inaccuracy, the department shall return

* Section 991.11, WISCONSIN STATUTES 2001-02 : 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 as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

the proposal to the city. The board shall request, but may not require, that the city resolve the problems in its proposal and resubmit the proposal to the board. If the city resubmits its proposal, the board shall review the resubmitted proposal and vote to approve or deny the proposal as specified in this paragraph.

SECTION 5. 66.1105 (5) (a) of the statutes is amended to read:

66.1105 (5) (a) Upon the creation of a tax incremental district or upon adoption of any amendment subject to par. (c), its tax incremental base shall be determined as soon as reasonably possible. The department of revenue may impose a fee of \$1,000 on a city to determine or redetermine the tax incremental base of a tax incremental district under this subsection.

SECTION 6. 73.03 (57) of the statutes is created to read:

73.03 (57) To create, and update, a manual on the tax incremental finance program under s. 66.1105. The manual shall contain the rules relating to the program, common problems faced by cities and villages under the program, possible side effects of the use of tax incremental financing, and any other information the department determines is appropriate. The department may consult with, and solicit the views of, any interested person while preparing or updating the manual.

SECTION 7. Nonstatutory provisions.

(1) The authorized FTE positions for the department of revenue are increased by 2.0 PR positions to be funded from the appropriation under section 20.566 (1) (go) of the statutes, as created by this act, for the purpose of performing services related to tax incremental districts.

SECTION 8. Effective date.

(1) This act takes effect on January 1, 2004, or on the day after publication, whichever is later.