

2005 DRAFTING REQUEST

Assembly Amendment (AA-AB147)

Received: **03/15/2005**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Gottlieb (608) 267-2369**

By/Representing: **Bill Ford**

This file may be shown to any legislator: **NO**

Drafter: **mshovers**

May Contact: **Bill Ford, 6-0680**

Addl. Drafters:

Subject: **Local Gov't - tax incr financing**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gottlieb@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Changes to tax incremental financing (TIF) law; DOR enforcement authority

Instructions:

Based on a0307 and SA 2 to SB 83, but DOR may refuse to certify a tax incremental base only if s. 66.1105 (2) (cm) percentages are exceeded and only if, w/ a mixed-use development, tax increments are used to subsidize newly platted residential housing and none of the 3 criteria under sub. (2) (f) 3. a. to c. apply.

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|------------------------|------------------------|------------------------|----------------|------------------------|------------------------|-----------------|
| /? | mshovers 03/15/2005 | csicilia 03/15/2005 | | _____ | | | |
| /1 | | | pgreensl 03/15/2005 | _____ | Inorthro 03/15/2005 | Inorthro 03/15/2005 | |

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Changes to tax incremental financing (TIF) law; DOR enforcement authority

Instructions:

Based on a0307 and SA 2 to SB 83, but DOR may refuse to certify a tax incremental base only if (2) (cm) conditions apply and only if, w/ a mixed-use development, tax increments are used to subsidize newly platted residential housing and, if so, the res. housing must meet one of the 3 criteria under sub. (2) (f) 3. a. to c. *None*

Drafting History:

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/? mshovers 1 gjs 3/15 05 3/15 p8 3/15 *8/11/05 p8/16*

FE Sent For:

<END>

**ASSEMBLY AMENDMENT ,
TO 2005 ASSEMBLY BILL 147**

bill with ✓

RMNR
stays

*WANTED!
TODAY*

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 5, line 20: delete “and 5.” and substitute “and 5., 5., and 7.”.
- 3 **2.** Page 6, line 10: after that line insert:
- 4 **“SECTION 5e.** 66.1105 (4) (h) 7. of the statutes is created to read:
- 5 66.1105 (4) (h) 7. If the department of revenue, acting under sub. (5) (dm),
- 6 makes a determination that any of the conditions listed in sub. (5) (de) apply, a
- 7 planning commission may amend its project plan to ensure that, with regard to that
- 8 mixed-use district, the percentage of lands proposed for newly platted residential
- 9 use does not exceed the percentage specified in sub. (2) (cm), or that at least one of
- 10 the conditions specified in sub. (2) (f) 3. a. to c. apply, even if such an amendment to
- 11 a project plan would exceed the number of amendments allowed under subd. (h) 2.”.
- 12 **3.** Page 7, line 2: after that line insert:
- 13 **“SECTION 6e.** 66.1105 (5) (d) of the statutes is amended to read:

1 66.1105 (5) (d) The Subject to pars. (de) and (dm), the department of revenue
 2 may not certify the tax incremental base as provided in par. (b) until it determines
 3 that each of the procedures and documents required by sub. (4) (a), (b), (gm) or (h)
 4 and par. (b) has been timely completed and all notices required under sub. (4) (a), (b),
 5 (gm) or (h) timely given. The facts supporting any document adopted or action taken
 6 to comply with sub. (4) (a), (b), (gm) or (h) are not subject to review by the department
 7 of revenue under this paragraph, except that the department may not certify the tax
 8 incremental base as provided in par. (b) until it reviews and approves of the findings
 9 that are described in sub. (4) (gm) 4. c.

10 **SECTION 6g.** 66.1105 (5) (de) of the statutes is created to read:

11 66.1105 (5) (de) With regard to a mixed-use development tax incremental
 12 district, the department of revenue may not certify the tax incremental base of such
 13 a district if the department determines that any of the following apply:

- 14 1. The lands proposed for newly platted residential use exceed the percentage
 15 specified in sub. (2) (cm). *→ Tax increments received by the city are used to*
subsidize residential development and ✓
- 16 2. *None* of the conditions specified in sub. (2) (f) 3. a. to c. apply. ✓

17 **SECTION 6i.** 66.1105 (5) (dm) of the statutes is created to read:

18 66.1105 (5) (dm) If the department of revenue certifies the tax incremental base
 19 of a mixed-use development tax incremental district and then determines that any
 20 of the conditions listed in the par. (de) apply, the department may not certify the tax
 21 incremental base of any other tax incremental district in that city until the
 22 department certifies that the mixed-use development district complies with the
 23 percentage specified in sub. (2) (cm) and *that at least one of*
 24 *the conditions specified in sub. (2) (f) 3. a.*

to c. *apply*

25 (END)