2005 ASSEMBLY BILL 883

December 20, 2005 – Introduced by Representatives Van Roy, Gard, Bies, Gunderson, Gundrum, Ballweg, Hines, Nass, Owens, McCormick, Vos and Pettis, cosponsored by Senators A. Lasee and Hansen. Referred to Committee on Financial Institutions.

1 AN ACT to amend 79.10 (5); to repeal and recreate 708.10 (title); and to create

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708.10 (3) of the statutes; **relating to:** requiring real estate mortgage lenders

to provide borrowers with lottery and gaming property tax credit information.

Analysis by the Legislative Reference Bureau

This bill requires lenders who make real estate mortgage loans to provide borrowers with a form that describes the lottery and gaming property tax credit and includes an application for the credit. Under current law, a person who has his or her principal dwelling in this state may claim the credit against the property taxes imposed on that dwelling.

The bill requires the Department of Revenue to prescribe the form and make the form available without charge to lenders. A lender must provide the form to a borrower at the loan settlement. However, if the borrower does not attend the loan settlement, the lender must mail the form to the borrower no later than 10 business days after the loan settlement is completed.

For further information see the *state* 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:

SECTION 1. 79.10 (5) of the statutes is amended to read:

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79.10 (5) LOTTERY AND GAMING CREDIT. Each municipality shall receive, from the
appropriation under s. 20.835 (3) (q), an amount determined by multiplying the
school tax rate by the estimated fair market value, not exceeding the value
determined under sub. (11), of every principal dwelling that is located in the
municipality and for which a claim for the credit under sub. (9) (bm) is made by the
owner of the principal dwelling. The department shall prescribe a form that
describes the credit and includes an application for the credit. The department shall
make the form available without charge for lenders to provide to borrowers under s.
708.10 (3) (b).

- **Section 2.** 708.10 (title) of the statutes is repealed and recreated to read:
- **708.10** (title) **Closings.**
- **SECTION 3.** 708.10 (3) of the statutes is created to read:
- 13 708.10 (3) LOTTERY CREDIT NOTICE. (a) In this subsection:
 - 1. "Business day" means a business day, as defined in s. 421.301 (6), that is not a legal holiday under s. 895.20 or a federal legal holiday.
 - 2. "Lender" includes any federal, state, or local unit of government or any agency, political subdivision, or instrumentality of such a unit of government.
 - (b) At a loan settlement, a lender shall provide the borrower with the form prescribed by the department of revenue under s. 79.10 (5), except that, if the borrower does not attend the loan settlement, the lender shall mail the form to the borrower no later than 10 business days after the loan settlement is completed.

SECTION 4. Effective date.

(1) This act takes effect on the first day of the 6th month beginning after publication.