

## 2005 ASSEMBLY BILL 1077

1     **AN ACT** *to renumber and amend* 66.0617 (9); and *to create* 66.0617 (9) (b) of  
2           the statutes; **relating to:** the time period during which impact fees must be  
3           used and the refunding of impact fees.

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*Analysis by the Legislative Reference Bureau*

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

4           **SECTION 1.** 66.0617 (9) of the statutes is renumbered 66.0617 (9) (a) and  
5           amended to read:

6           66.0617 (9) (a) ~~An~~ Subject to par. (b), an ordinance enacted under this section  
7           shall specify that impact fees that are imposed and collected by a political subdivision  
8           but are not used within ~~a reasonable period of time~~ 7 years after they are collected  
9           to pay the capital costs for which they were imposed shall be refunded to the current  
10          owner of the property with respect to which the impact fees were imposed. The

**ASSEMBLY BILL 1077****SECTION 1**

1 ordinance shall specify, by type of public facility, reasonable time periods within  
2 which impact fees must be spent or refunded under this subsection, subject to the  
3 7-year limit in this paragraph and the extended time period specified in par. (b). In  
4 determining the length of the time periods under the ordinance, a political  
5 subdivision shall consider what are appropriate planning and financing periods for  
6 the particular types of public facilities for which the impact fees are imposed.

7 **SECTION 2.** 66.0617 (9) (b) of the statutes is created to read:

8 66.0617 **(9)** (b) The 7-year time limit for using impact fees that is specified  
9 under par. (a) may be extended for 3 years if the political subdivision adopts a  
10 resolution stating that, due to extenuating circumstances or hardship in meeting the  
11 7-year limit, it needs an additional 3 years to use the impact fees that were collected.  
12 The resolution shall specify the extenuating circumstances or hardship that led to  
13 the need to adopt a resolution under this paragraph.

14 **SECTION 3. Initial applicability.**

15 (1) This act first applies to impact fees that have been imposed under impact  
16 fee ordinances that are in effect on the effective date of this subsection.

17 (END)