

2005 ASSEMBLY BILL 657

September 9, 2005 – Introduced by Representatives M. WILLIAMS, WOOD, GRONEMUS, DAVIS, MOULTON, HONADEL, JENSEN, HINES, KESTELL, PETTIS, OWENS, MEYER, AINSWORTH, KERKMAN, OTT, LEMAHIEU, MUSSER, VAN ROY, FREESE, LEHMAN, ALBERS, HUNDERTMARK, SUDER, STRACHOTA, NISCHKE, HAHN and GARD, cosponsored by Senators ZIEN, DARLING, HARSDORF, REYNOLDS, OLSEN, ROESSLER, BROWN, LAZICH, LEIBHAM and GROTHMAN. Referred to Committee on Property Rights and Land Management.

1 AN ACT *to create* 32.03 (6) of the statutes; **relating to:** prohibiting the
2 condemnation of property under certain circumstances.

Analysis by the Legislative Reference Bureau

This bill prohibits the condemnation of property that is not blighted if the condemnor intends to convey or lease the acquired property to a private entity. The bill defines “blighted property” and provides that property that includes one or more dwelling units is not blighted unless the property has been abandoned or the property has been converted from a single dwelling unit to multiple dwelling units and the crime rate in, on, or adjacent to the property is higher than in the rest of the municipality.

The bill also requires a condemnor, before commencing the condemnation of property that the condemnor intends to convey or lease to a private entity, to make a written finding that the property is blighted.

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

3 SECTION 1. 32.03 (6) of the statutes is created to read:
4 32.03 (6) (a) In this subsection, “blighted property” means any property that,
5 by reason of abandonment, dilapidation, deterioration, age or obsolescence,

ASSEMBLY BILL 657**SECTION 1**

1 inadequate provisions for ventilation, light, air, or sanitation, high density of
2 population and overcrowding, faulty lot layout in relation to size, adequacy,
3 accessibility, or usefulness, unsanitary or unsafe conditions, deterioration of site or
4 other improvements, or the existence of conditions that endanger life or property by
5 fire or other causes, or any combination of such factors, is detrimental to the public
6 health, safety, or welfare. Property that includes one or more dwelling units is not
7 blighted property unless, in addition, at least one of the following applies:

8 1. The property has been abandoned.

9 2. The property has been converted from a single dwelling unit to multiple
10 dwelling units, and the crime rate in, on, or adjacent to the property is higher than
11 in the remainder of the municipality in which the property is located.

12 (b) Property that is not blighted property may not be acquired by condemnation
13 if the condemnor intends to convey or lease the acquired property to a private entity.

14 (c) Before commencing the condemnation of property that the condemnor
15 intends to convey or lease to a private entity, the condemnor shall make a written
16 finding that the property is blighted property.

17 **SECTION 2. Initial applicability.**

18 (1) This act first applies to jurisdictional offers to purchase made on the
19 effective date of this subsection.

20 (END)