ASSEMBLY SUBSTITUTE AMENDMENT 2,

TO 2005 ASSEMBLY BILL 657

September 27, 2005 − Offered by Representative M. WILLIAMS.

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

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

SECTION 1. 32.03 (6) of the statutes is created to read:

32.03 **(6)** (a) In this subsection, "blighted property" means any property that, by reason of abandonment, dilapidation, deterioration, age or obsolescence, inadequate provisions for ventilation, light, air, or sanitation, high density of population and overcrowding, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, or the existence of conditions that endanger life or property by fire or other causes, or any combination of such factors, is detrimental to the public health, safety, or welfare. Property that consists of only one dwelling unit is not blighted property unless, in addition, at least one of the following applies:

1. The property is not occupied by the owner of the property, his or her spouse, or an individual related to the owner by blood, marriage, or adoption within the 4th degree of kinship under s. 990.001 (16).

2. The crime rate in, on, or adjacent to the property is higher than in the remainder of the municipality in which the property is located.

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

(c) Before commencing the condemnation of property that the condemnor intends to convey or lease to a private entity, the condemnor shall make written findings and provide a copy of the findings to the owner of the property. The findings shall include all of the following:

1. The scope of the redevelopment project encompassing the owner's property.

2. A legal description of the redevelopment area that includes the owner's property.

3. The purpose of the condemnation.

4. A finding that the owner's property is blighted and the reasons for that finding.

SECTION 2. Initial applicability.

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

(END)