

**2007 DRAFTING REQUEST**

**Bill**

Received: **05/18/2007**

Received By: **jkreye**

Wanted: **Today**

Identical to LRB:

For: **Scott Gunderson (608) 266-3363**

By/Representing: **mike**

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

Drafter: **jkreye**

May Contact:

Addl. Drafters:

Subject: **Tax, Property - other**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gunderson@legis.wisconsin.gov**

Carbon copy (CC:) to: **joseph.kreye@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Personal property tax on billboards

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**Instructions:**

See Attached

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**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>
/?	jkreye 05/18/2007	lkunkel 05/18/2007		_____			S&L
/1			rschluet 05/18/2007	_____	cduerst 05/18/2007	cduerst 05/21/2007	

FE Sent For:

*at intro  
6/21*

<END>

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1/?	jkreye	1/1mk 8/18					

FE Sent For:

<END>

**Kreye, Joseph**

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**From:** Bruhn, Mike  
**Sent:** Thursday, May 17, 2007 3:37 PM  
**To:** Kreye, Joseph  
**Subject:** RE: LRB 1757/2

Joe,

Can you draft an Assembly version of LRB 1757/2 for Rep. Gunderson?

Thanks,

Mike Bruhn  
Rep. Gunderson's office

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**From:** Piliouras, Elizabeth  
**Sent:** Thursday, May 17, 2007 3:35 PM  
**To:** Kreye, Joseph  
**Cc:** Bruhn, Mike  
**Subject:** LRB 1757/2

Hi Joe:

Please allow Gunderson's office to use 1757/2 to draft an Assembly companion. Mike Bruhn is the contact person.

Thanks!

Beth

*Beth Piliouras*  
Senator Roger Breske  
608-266-2509

2756/1  
JK:jld:pg  
SAS

2007 BILL

in 578-07

Today, please

Re Gen Vt

1 AN ACT to renumber and amend 70.34; and to create 70.34 (2) of the statutes;  
2 relating to: determining the value of billboards for personal property tax  
3 purposes.

*Analysis by the Legislative Reference Bureau*

Under current law, a billboard is subject to the imposition of personal property taxes. The Wisconsin Supreme Court has recently determined that, although net income from billboard rentals may be a factor to consider, it cannot be the sole controlling factor for determining the value of a billboard for property tax purposes. See, *Adams Outdoor Advertising Ltd. v. City of Madison*, 2006 WI 104, \_\_\_Wis.2d\_\_\_, 717 N.W.2nd 803. The court also found that, by not determining the billboard's value based on its cost, less depreciation, the city assessor contravened the prevailing practice for assessing billboards not only in this state, but throughout the United States.

Under this bill, for personal property tax purposes, an assessor must determine a billboard's value by subtracting depreciation from the cost of reproducing the billboard. In addition, consistent with *Adams Outdoor Advertising Ltd.*, the assessor may not include the value of any permits issued, leasehold interests, or other intangibles with regard to the billboard for the purpose of determining the billboard's assessed value.

**BILL**

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 70.34 of the statutes is renumbered 70.34 (1) and amended to read:

2           70.34 (1) ~~All~~ Subject to sub. (2), all articles of personal property shall, as far  
3 as practicable, be valued by the assessor upon actual view at their true cash value;  
4 and after arriving at the total valuation of all articles of personal property which the  
5 assessor shall be able to discover as belonging to any person, if the assessor has  
6 reason to believe that such person has other personal property or any other thing of  
7 value liable to taxation, the assessor shall add to such aggregate valuation of  
8 personal property an amount which, in the assessor's judgment, will render such  
9 aggregate valuation a just and equitable valuation of all the personal property liable  
10 to taxation belonging to such person. In carrying out the duties imposed on the  
11 assessor by this section, the assessor shall act in the manner specified in the  
12 Wisconsin property assessment manual provided under s. 73.03 (2a).

13           **SECTION 2.** 70.34 (2) of the statutes is created to read:

14           70.34 (2) The assessor shall determine the value of an outdoor off-premises  
15 advertising sign by subtracting depreciation from the cost of reproducing the sign,  
16 consistent with the cost approach specified in the Wisconsin property assessment  
17 manual provided under s. 73.03 (2a). The value determined under this subsection  
18 shall not include the value of any permits issued, leasehold interests, or other  
19 intangibles with regard to the outdoor off-premises advertising sign. In this  
20 subsection, "off-premises advertising sign" means a sign that does not advertise the  
21 business or activity that occurs on the site where the sign is located.



**Duerst, Christina**

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**From:** Bruhn, Mike  
**Sent:** Monday, May 21, 2007 8:44 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 07-2756/1 Topic: Personal property tax on billboards

Please Jacket LRB 07-2756/1 for the ASSEMBLY.