



2007 DRAFTING REQUEST

Bill

Received: 12/19/2006

Received By: jkreya

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Easton

This file may be shown to any legislator: NO

Drafter: jkreya

May Contact:

Addl. Drafters:

Subject: Tax, Other - real est trnsfr fee

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Easton, BB0238 -

Topic:

Increase the real estate transfer fee

Instructions:

See Attached

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>
/?				_____			S&L
/1	jkreya 12/19/2006	jdyaer 12/20/2006	rschluet 12/20/2006	_____	sbasford 12/20/2006		S&L
	jkreya 01/09/2007	jdyaer 01/09/2007		_____			
/2	jkreya 01/24/2007	jdyaer 01/24/2007	pgreensl 01/09/2007	_____	sbasford 01/09/2007		S&L
/3			nmatzke 01/24/2007	_____	sbasford 01/24/2007		S&L
/4	jkreya	jdyaer	pgreensl	_____	cduerst		S&L

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	01/25/2007 csundber 01/25/2007	01/25/2007 lkunkel 01/25/2007	01/25/2007 _____ _____ _____		01/25/2007		
/5			jfrantze 01/26/2007 _____ _____		sbasford 01/26/2007		S&L
/6	gmalaise 01/26/2007 jkreye 01/26/2007 csundber 01/29/2007	kfollett 01/26/2007 kfollett 01/29/2007	rschluet 01/26/2007 _____ _____ _____ _____		sbasford 01/29/2007		S&L
/7			rschluet 01/29/2007 _____ _____		sbasford 01/29/2007		S&L
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/9			rschluet 02/02/2007 _____ _____		sbasford 02/02/2007		

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/3			natzke 01/24/2007	_____	sbasford 01/24/2007		S&L
/4	jkreye	jdyer	pgreensl	_____	cduerst		S&L

9 3/2 jld

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1207 JFC

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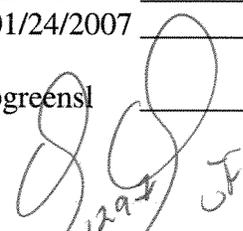
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1/2/07*

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1/26/07

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16/mk/1/25
[Handwritten Signature]
1/26 <END>

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*nwn
1/24* *nwn/rs
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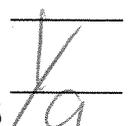
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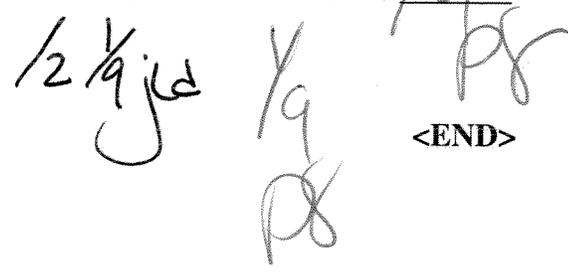
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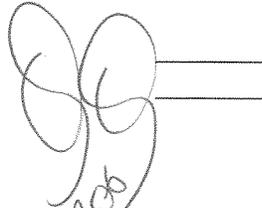
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jkreye

1/12/20 jld


12/20/06

<END>

FE Sent For:

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Increase the Real Estate Transfer Fee
- Tracking Code: BB0238
- SBO team: Tax and Local Government
- SBO analyst: Easton
 - Phone: 6-7597
 - Email: Darren.easton@wisconsin.gov
- Agency acronym: DOR
- Agency number: 566
- Priority (Low, Medium, High): Medium

**Statutory Language Request
December 18, 2006**

TITLE: INCREASE THE REAL ESTATE TRANSFER FEE

RECOMMENDATION FOR ACTION:

Increase the real estate transfer fee from 30 cents for each \$100 of value or fraction on every conveyance to 50 cents for each \$100 (in section 77.22).

The funds will go to the general fund.

EFFECTIVE DATE OR INITIAL APPLICABILITY:

July 1, 2007

PERSON TO CONTACT:

Darren Easton
6-7597
Darren.easton@wisconsin.gov



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1181/1

JK:Λ:...

Jld

DOA:.....Easton, BB0238 - Increase the real estate transfer fee
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

m 12-19-06

don't gen

1 AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

TAXATION ✓

OTHER TAXATION ✓

Under current law, generally, the conveyance of real property from one person to another is subject to a real estate transfer fee at the rate of 30 cents for each \$100 of the conveyance's value. The register of deeds for the county in which the property is located collects the fee at the time that the conveyance is recorded with the register of deeds. The register of deeds retains 20 percent of the fee for the county and submits the remainder to the state. This bill increases the rate of the real estate transfer fee to 50 cents for each \$100 of a conveyance's value. ✓

For further information see the *state and local* 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:

2 SECTION 1. 77.22 (1) of the statutes is amended to read: ✓

3 77.22 (1) There is imposed on the grantor of real estate a real estate transfer
4 fee at the rate of 30 50 cents for each \$100 of value or fraction thereof on every

1 conveyance not exempted or excluded under this subchapter. In regard to land
 2 contracts the value is the total principal amount that the buyer agrees to pay the
 3 seller for the real estate. This fee shall be collected by the register at the time the
 4 instrument of conveyance is submitted for recording. Except as provided in s. 77.255,
 5 at the time of submission the grantee or his or her duly authorized agent or other
 6 person acquiring an ownership interest under the instrument, or the clerk of court
 7 in the case of a foreclosure under s. 846.16 (1), shall execute a return, signed by both
 8 grantor and grantee, on the form prescribed under sub. (2). The register shall enter
 9 the fee paid on the face of the deed or other instrument of conveyance before
 10 recording, and, except as provided in s. 77.255, submission of a completed real estate
 11 transfer return and collection by the register of the fee shall be prerequisites to
 12 acceptance of the conveyance for recording. The register shall have no duty to
 13 determine either the correct value of the real estate transferred or the validity of any
 14 exemption or exclusion claimed. If the transfer is not subject to a fee as provided in
 15 this subchapter, the reason for exemption shall be stated on the face of the
 16 conveyance to be recorded by reference to the proper subsection under s. 77.25.

History: 1971 c. 150; 1977 c. 29; 1981 c. 20; 1985 a. 54; 1985 a. 174 ss. 1, 2, 7; 1985 a. 332; 1987 a. 27; 1989 a. 31; 1991 a. 269; 1993 a. 307; 1995 a. 27 ss. 3475m to 3476, 9116 (5).

17 **SECTION 9341. Initial applicability; Revenue.**

18 *auto ref A*

18 (1) REAL ESTATE TRANSFER FEE. The treatment of section 77.22 (1) of the statutes
 19 first applies to conveyances that are recorded on the effective date of this subsection.

20 **SECTION 9441. Effective dates; Revenue.**

21 (1) REAL ESTATE TRANSFER FEE. The treatment of section 77.22 (1) of the statutes
 22 takes effect on July 1, 2007.

23 (END)

and SECTION 9341 (1) of this act *auto ref A*

Kreye, Joseph

From: Easton, Darren - DOA
Sent: Tuesday, January 09, 2007 11:57 AM
To: Kreye, Joseph
Subject: FW: LRB Draft: 07-1181/1 Increase the real estate transfer fee
Attachments: 07-1181/1

Joe,

Please set the Real Estate Transfer Fee at 60 cents for each \$100 of value.

Darren

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.wisconsin.gov]
Sent: Wednesday, December 20, 2006 8:36 AM
To: Easton, Darren - DOA
Cc: Koskinen, John - DOA; Hanaman, Cathlene - LEGIS; Palchik, Laurie A - DOA
Subject: LRB Draft: 07-1181/1 Increase the real estate transfer fee

Following is the PDF version of draft 07-1181/1.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1181/1
JK:jld:rs

2
RMH/K

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FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

in 1-9-07

don't gen

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17 **SECTION 9341. Initial applicability; Revenue.**

18 (1) REAL ESTATE TRANSFER FEE. The treatment of section 77.22 (1) of the statutes
19 first applies to conveyances that are recorded on the effective date of this subsection.

20 **SECTION 9441. Effective dates; Revenue.**

21 (1) REAL ESTATE TRANSFER FEE. The treatment of section 77.22 (1) of the statutes
22 and SECTION 9341 (1) of this act take effect on July 1, 2007.

23 (END)

**Department of Revenue LRB Draft Comments
LRB 1181/2**

1. Bill and/or LRB Number: LRB-1181/2

This bill is being prepared for inclusion in the 2007/09 biennial budget.

2. Type of Taxes Affected: Real estate transfer fee

3. Description of the Bill: (briefly describe the subject matter of the bill and the change/s)

Increases the real estate transfer fee from \$0.30 per \$100 of consideration to \$0.60 per \$100 of consideration. The state share of the fee (80%) and the county share of the fee (20%) would not change. The state's share of fee collections in FY06 was \$80.5 million.

4. Statutory language problems, if any: Yes No

(If yes, describe problems and indicate suggested corrective language. Example of problem: The bill language is unclear, does not fully accomplish the desired result, or has undesirable side effects.)

5. Effective date problems, if any, including transitional problems: Yes No

(If yes, describe problem and suggested effective date or transitional language needed.)

Effective date would be "on the effective date of this subsection". As part of the budget bill, this would imply an effective date that would be the day after publication. The Department needs time to reprogram its computer program, revise the electronic and printed fee returns, and notify realtors, transfer agents, county registers of deeds, and treasurers about the change. We recommend that the effective date of the fee increase be the 1st day of the 2nd month beginning after publication.

Under current law, the real estate transfer fee for land contracts entered into before August 1, 1992 is deferred until the contract is satisfied. The fee for land contracts entered into before September 1, 1981 is payable at a rate of \$0.10 per \$100 of consideration when the contract is satisfied. The fee for land contracts entered into from September 1, 1981 to July 31, 1992 is payable at a rate of \$0.30 per \$100 when the contract is satisfied. Under the proposed budget language, these conveyances would be subject to the \$0.60 per \$100 rate when the contracts are satisfied and recorded. To maintain the current law \$0.10 and \$0.30 rates for these land contracts, the budget language should apply to conveyances recorded on or after the specified effective date, but not to conveyances pursuant to a recorded land contract entered into before August 1, 1992.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1181/2

JK:jld:pg

RM

DOA:.....Easton, BB0238 - Increase the real estate transfer fee

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

in 1-24-07

don't gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TAXATION

OTHER TAXATION

Under current law, generally, the conveyance of real property from one person to another is subject to a real estate transfer fee at the rate of 30 cents for each \$100 of the conveyance's value. The register of deeds for the county in which the property is located collects the fee at the time that the conveyance is recorded with the register of deeds. The register of deeds retains 20 percent of the fee for the county and submits the remainder to the state. This bill increases the rate of the real estate transfer fee to 60 cents for each \$100 of a conveyance's value.

For further information see the *state and local* 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:

2 SECTION 1. 77.22 (1) of the statutes is amended to read:

3 77.22 (1) There is imposed on the grantor of real estate a real estate transfer
4 fee at the rate of ~~30~~ 60 cents for each \$100 of value or fraction thereof on every

but not to conveyances that are pursuant to a land contract entered into before August 1, 1992

1 conveyance not exempted or excluded under this subchapter. In regard to land
2 contracts the value is the total principal amount that the buyer agrees to pay the
3 seller for the real estate. This fee shall be collected by the register at the time the
4 instrument of conveyance is submitted for recording. Except as provided in s. 77.255,
5 at the time of submission the grantee or his or her duly authorized agent or other
6 person acquiring an ownership interest under the instrument, or the clerk of court
7 in the case of a foreclosure under s. 846.16 (1), shall execute a return, signed by both
8 grantor and grantee, on the form prescribed under sub. (2). The register shall enter
9 the fee paid on the face of the deed or other instrument of conveyance before
10 recording, and, except as provided in s. 77.255, submission of a completed real estate
11 transfer return and collection by the register of the fee shall be prerequisites to
12 acceptance of the conveyance for recording. The register shall have no duty to
13 determine either the correct value of the real estate transferred or the validity of any
14 exemption or exclusion claimed. If the transfer is not subject to a fee as provided in
15 this subchapter, the reason for exemption shall be stated on the face of the
16 conveyance to be recorded by reference to the proper subsection under s. 77.25.

SECTION 9341. Initial applicability; Revenue.

(1) REAL ESTATE TRANSFER FEE. The treatment of section 77.22 (1) of the statutes first applies to conveyances that are recorded on the effective date of this subsection.

(END)

20

*Section 9441, Effective date, Revenue.
← auto ref A
(1) REAL ESTATE TRANSFER FEE. The treatment of section 77.22 (1) of the statutes
takes effect on the first day of the 2nd month beginning after
publication.
and act SECTION 9441 (1) of this*

JK Changes to Real Estate Transfer Fee (RETF) Statutory Language Draft – LRB 1181

- JK* ✓ 1. In chapter 25 create the County Shared Revenue Trust Fund (CSRTF). Deposit all the money from the RETF into the fund.
- JK* ✓ 2. Change the sharing ratio in 77.24 so the counties keep 10% and remit 90% to the state.
- CTS* ✓ 3. In chapter 25 create the Affordable Housing Trust Fund to fund housing programs such as those that currently exist in the Department of Commerce.
- CTS* ✓ 4. Create 20.855(4)(v) to transfer \$4 million from the CSRTF to the Affordable Housing Trust Fund.
- RPM* ✓ 5. Create a SEG annual appropriation at 20.625(1)(q) Circuit Court support payment in the amount in the schedule from the CSRTF.
- G.M.M.* ✓ 6. Create a SEG annual appropriation at 20.410(3)(r) Community, Family and Youth aids support payment in the amount in the schedule from the CSRTF.
- JK* ✓ 7. Create a SEG sum sufficient at 20.835(1)(q) County Shared Revenues payment from the CSRTF.
- JK* ✓ 8. Rename 20.835(1)(db) Municipal Aid Account.
- JK* ✓ 9. Create a GPR sum sufficient appropriation to backfill the County Shared Revenues payment.



ln: 1/25/07
State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1181/3
JK:jld:nwn
RMR

DOA:.....Easton, BB0238 - Increase the real estate transfer fee
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

don't gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
TAXATION

OTHER TAXATION

✓ INSERT A-JK

Under current law, generally, the conveyance of real property from one person to another is subject to a real estate transfer fee at the rate of 30 cents for each \$100 of the conveyance's value. The register of deeds for the county in which the property is located collects the fee at the time that the conveyance is recorded with the register of deeds. The register of deeds retains 20 percent of the fee for the county and submits the remainder to the state. This bill increases the rate of the real estate transfer fee to 60 cents for each \$100 of a conveyance's value.

For further information see the *state and local* 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:

2 SECTION 1. 77.22 (1) of the statutes is amended to read:

77.22 (1) There is imposed on the grantor of real estate a real estate transfer fee at the rate of 30 60 cents for each \$100 of value or fraction thereof on every

~~ASSEMBLY~~
~~1-2 JK~~
~~SENATE~~
~~1-2 JK~~
✓
INSERT
1-2 JK
~~SENATE~~
~~1-2 JK~~

1 conveyance not exempted or excluded under this subchapter. In regard to land
2 contracts the value is the total principal amount that the buyer agrees to pay the
3 seller for the real estate. This fee shall be collected by the register at the time the
4 instrument of conveyance is submitted for recording. Except as provided in s. 77.255,
5 at the time of submission the grantee or his or her duly authorized agent or other
6 person acquiring an ownership interest under the instrument, or the clerk of court
7 in the case of a foreclosure under s. 846.16 (1), shall execute a return, signed by both
8 grantor and grantee, on the form prescribed under sub. (2). The register shall enter
9 the fee paid on the face of the deed or other instrument of conveyance before
10 recording, and, except as provided in s. 77.255, submission of a completed real estate
11 transfer return and collection by the register of the fee shall be prerequisites to
12 acceptance of the conveyance for recording. The register shall have no duty to
13 determine either the correct value of the real estate transferred or the validity of any
14 exemption or exclusion claimed. If the transfer is not subject to a fee as provided in
15 this subchapter, the reason for exemption shall be stated on the face of the
16 conveyance to be recorded by reference to the proper subsection under s. 77.25.

17 **SECTION 9341. Initial applicability; Revenue.**

18 (1) REAL ESTATE TRANSFER FEE. The treatment of section 77.22 (1) of the statutes
19 first applies to conveyances that are recorded on the effective date of this subsection,
20 but not to conveyances that are pursuant to a land contract entered into before
21 August 1, 1992.

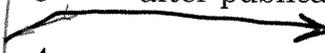
22 **SECTION 9441. Effective dates; Revenue.**

77.24

1 (1) REAL ESTATE TRANSFER FEE. The treatment of section 77.22 (1) of the statutes
2 and SECTION 9441 (1) of this act take effect on the first day of the 2nd month beginning
3 after publication.

(END)

✓
INSERT
3-4



2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1181/4insrn
RPN:jld:nwn

and for community youth and family
aids, which are aids paid to counties
for delinquency-related services

and aids ✓

insert anlrpn:
(TO INS A-JK)

shot
amount

This bill pays part of the amount paid to counties for circuit court costs out of the county aid fund, which is created in the bill from real estate transfer fees. Those costs are currently paid out of the general fund. ✓

- 1
- 2
- 3 ✓
- 4

insert 1-2rpn:

SECTION 1. 20.625 (1) (q) of the statutes is created to read:

20.625 (1) (q) *Circuit court support payments.* From the county aid fund, the amounts in the schedule to make payments to each county under s. 758.19 (5). X

→ NOTE: BUD ←

INS
CS-A
(TO INS
anlrpn)

from the county aid fund

NO # The bill also pays part of the amount paid to counties as community youth and family aids (generally referred to as "youth aids"), which are aids paid to counties for juvenile delinquency-related services. ✓

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1181/4insCS
CTS:.....

1 **Insert CS-A:**
(to Ins an/rpn) ✓

Additionally, the bill creates an affordable housing trust fund, consisting of moneys transferred from the county aid fund and appropriated for current housing grant and loan programs administered by the Department of Commerce. ✓

2 **Insert CS-12:1** (to Ins 1-2AGmm)

3 **SECTION 1.** 20.143 (2) (q) ✓ of the statutes is created to read:

4 20.143 (2) (q) *Housing grants and loans; affordable housing trust fund.*

5 Biennially, from the affordable housing trust fund, the amounts in the schedule for
6 grants and loans under s. 560.9803 ✓ and for grants under s. 560.9805. ✓

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 2.** 20.855 (4) (v) ✓ of the statutes is created to read:

8 20.855 (4) (v) *Transfer to affordable housing trust fund.* ✓ From the county aid
9 fund, the amounts in the schedule to be transferred to the affordable housing trust
10 fund. ✓

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 **SECTION 3.** 25.17 (1) (ab) ✓ of the statutes is created to read:

12 25.17 (1) (ab) *Affordable housing trust fund (s. 25.415);* ✓

13 **SECTION 4.** 25.415 ✓ of the statutes is created to read:

14 **25.415 Affordable housing trust fund.** There is established a separate
15 nonlapsible ✓ trust fund designated as the affordable housing trust fund, to consist of
16 moneys that may be transferred from the county aid fund under s. 20.855 (4) (v). ✓

(end ins CS-12:2
(to Ins 1-2JK))

INSERT
CS-12:2
STARTS TO
HERE! 8-2JK

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1181/4insgm
GMM.....

→ INSERT (INSERT 1-2AGMM) (to Ins 1-2JK) ✓
x CS-12:1 (to Ins 1-2AGMM) ✓

SECTION 1. 20.410 (3) (r) of the statutes is created to read:

20.410 (3) (r) *County aid fund; community youth and family aids.* From the county aid fund, the amounts in the schedule for the improvement and provision of juvenile delinquency-related services under s. 301.26 and for reimbursement to counties having a population of less than 500,000 for the cost of court-attached intake services as provided in s. 938.06 (4). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of corrections may transfer moneys under this paragraph between fiscal years. Except for moneys authorized for transfer under s. 301.26 (3), all moneys from this paragraph allocated under s. 301.26 (3) and not spent or encumbered by counties by December 31 of each year shall lapse into the county aid fund on the succeeding January 1. The joint committee on finance may transfer additional moneys to the next calendar year.

→ NOTE: BUD ←
(END OF INSERT 1-2AGMM)

(INSERT 1-2BGMM) (to Ins 1-2JK)

SECTION 2. 46.215 (2) (c) 3. of the statutes is amended to read:

46.215 (2) (c) 3. A county department of social services shall develop, under the requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related care and services to be purchased. The department of corrections may review the contracts and approve them if they are consistent with s. 301.08 (2) and if state or federal funds are available for such purposes. The joint committee on finance may require the department of corrections to submit the contracts to the committee for review and approval. The department of corrections may not make any payments to a county for programs included in a contract under review by the committee. The



INS 1-2BGM cont

department of corrections shall reimburse each county for the contracts from the appropriations under s. 20.410 (3) (cd) and, (ko), and (r) as appropriate.

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 264, 388, 406; s. 13.93 (2) (c).

SECTION 3. 46.22 (1) (e) 3. c. of the statutes is amended to read:

46.22 (1) (e) 3. c. A county department of social services shall develop, under the requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related care and services to be purchased. The department of corrections may review the contracts and approve them if they are consistent with s. 301.08 (2) and to the extent that state or federal funds are available for such purposes. The joint committee on finance may require the department of corrections to submit the contracts to the committee for review and approval. The department of corrections may not make any payments to a county for programs included in the contract that is under review by the committee. The department of corrections shall reimburse each county for the contracts from the appropriations under s. 20.410 (3) (cd) and, (ko), and (r) as appropriate.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; s. 13.93 (2) (c).

SECTION 4. 49.45 (6m) (br) 1. of the statutes is amended to read:

49.45 (6m) (br) 1. Notwithstanding s. 20.410 (3) (cd), (ko), or (r), 20.435 (4) (bt) or (7) (b), or 20.445 (3) (dz), the department shall reduce allocations of funds to counties in the amount of the disallowance from the appropriation account under s. 20.435 (4) (bt) or (7) (b), or the department shall direct the department of workforce development to reduce allocations of funds to counties or Wisconsin works agencies in the amount of the disallowance from the appropriation account under s. 20.445 (3) (dz) or direct the department of corrections to reduce allocations of funds to counties



INS⁻³-2BGMM

LRB-1181/4insgm
GMM.....

X in the amount of the disallowance from the appropriation account under s. 20.410 (3) (cd), (ko), or (r) in accordance with s. 16.544 to the extent applicable.

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109; 2003 a. 33, 318, 321; 2005 a. 22; 2005 a. 25 ss. 1120 to 1149f, 2503 to 2510; 2005 a. 107, 165, 253, 254, 264, 301, 340, 386, 441.

(END OF INSERT)
(-2BGMM)

(INSERT 2-16GMM) (to Ins 2-16JK)

X
SECTION 5. 301.26 (3) (c) of the statutes is amended to read:

301.26 (3) (c) Within the limits of the appropriations under s. 20.410 (3) (cd) and, (ko), and (r), the department shall allocate funds to each county for services under this section.

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 13.93 (2) (c).

X
SECTION 6. 301.26 (3) (em) of the statutes is amended to read:

301.26 (3) (em) The department may carry forward any emergency funds allocated under sub. (7) (e) and not encumbered or carried forward under par. (dm) by December 31 to the next 2 calendar years. The department may transfer moneys from or within s. 20.410 (3) (cd), (ko), and (r) to accomplish this purpose. The department may allocate these transferred moneys to counties that are eligible for emergency payments under sub. (7) (e). The allocation does not affect a county's base allocation.

X
History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 13.93 (2) (c).

X
SECTION 7. 301.26 (4) (a) of the statutes is amended to read:

301.26 (4) (a) Except as provided in pars. (c) and (cm), the department of corrections shall bill counties or deduct from the allocations under s. 20.410 (3) (cd), (ko), and (r) for the costs of care, services and supplies purchased or provided by the department of corrections for each person receiving services under s. 48.366, 938.183

↓

INS 2-16 GMM
cont

or 938.34 or the department of health and family services for each person receiving services under s. 46.057 or 51.35 (3). The department of corrections may not bill a county for or deduct from a county's allocation the cost of care, services and supplies provided to a person subject to an order under s. 48.366 or 938.183 after the person reaches 18 years of age. Payment shall be due within 60 days after the billing date. If any payment has not been received within 60 days, the department of corrections may withhold aid payments in the amount due from the appropriation under s. 20.410 (3) (cd).

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 13.93 (2) (c).

SECTION 8. 301.26 (6) (a) of the statutes is amended to read:

301.26 (6) (a) The intent of this subsection is to develop criteria to assist the legislature in allocating funding, excluding funding for base allocations, from the appropriations under s. 20.410 (3) (cd) and, (ko), and (r) for purposes described in this section.

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 13.93 (2) (c).

SECTION 9. 301.26 (7) (intro.) of the statutes is amended to read:

301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability of federal funds and of the appropriations under s. 20.410 (3) (cd) and, (ko), and (r), the department shall allocate funds for community youth and family aids for the period beginning on July 1, 2005, and ending on June 30, 2007, as provided in this subsection to county departments under ss. 46.215, 46.22, and 46.23 as follows:

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 13.93 (2) (c).

(END OF INSERT)

2-16 GMM
(to INS 2-16 JA)

Insert A-JK

and requires the register of deeds to submit 90 percent of the fee to the state, rather than 80 percent. Under the bill, the amount of the real estate transfer fee retained by the state is deposited into the county aid fund. Beginning in 2008, county aid payments, formerly referred to as "shared revenue payments," will be paid from the county aid fund rather than from an appropriation in the general fund.

Insert 1-2 JK

SECTION 1. 20.835 (1) (db) of the statutes is amended to read:

20.835 (1) (db) County and municipal Municipal aid account.

History: 1971 c. 125 ss. 192 to 195, 521; 1971 c. 215; 1973 c. 90, 158, 333; 1975 c. 39; 1975 c. 372 s. 41; 1975 c. 424; 1977 c. 29, 31, 313, 418, 447; 1979 c. 34 ss. 637m to 643m, 2102 (46) (d); 1979 c. 221; 1979 c. 329 s. 25 (1); 1979 c. 350 s. 27 (1); 1981 c. 1, 20, 93, 317; 1983 a. 2 ss. 1, 12; 1983 a. 27 ss. 489m, 490m, 2202 (45); 1985 a. 29, 41, 205; 1987 a. 27 ss. 473 to 474r, 476; 1987 a. 92; 1987 a. 312 s. 17; 1987 a. 323, 328, 399, 411, 422; 1989 a. 31 ss. 551 to 557m, 564m; 1989 a. 56 s. 259; 1989 a. 336; 1991 a. 37; 1991 a. 39 ss. 250m, 653m to 659m; 1991 a. 225, 269; 1993 a. 16, 267; 1995 a. 27, 56, 209, 417; 1997 a. 27, 237; 1999 a. 5, 9, 10; 1999 a. 150 s. 672; 1999 a. 167; 2001 a. 16, 105, 109; 2003 a. 31, 33, 320; 2005 a. 25, 361, 405, 483; s. 13.93 (b).

SECTION 2. 20.835 (1) (db) of the statutes is amended to read:

20.835 (1) (db). Beginning in 2004, a sum sufficient to make payments to counties, towns, villages, and cities under s. ss. 79.035 and 79.043.

History: 1971 c. 125 ss. 192 to 195, 521; 1971 c. 215; 1973 c. 90, 158, 333; 1975 c. 39; 1975 c. 372 s. 41; 1975 c. 424; 1977 c. 29, 31, 313, 418, 447; 1979 c. 34 ss. 637m to 643m, 2102 (46) (d); 1979 c. 221; 1979 c. 329 s. 25 (1); 1979 c. 350 s. 27 (1); 1981 c. 1, 20, 93, 317; 1983 a. 2 ss. 1, 12; 1983 a. 27 ss. 489m, 490m, 2202 (45); 1985 a. 29, 41, 205; 1987 a. 27 ss. 473 to 474r, 476; 1987 a. 92; 1987 a. 312 s. 17; 1987 a. 323, 328, 399, 411, 422; 1989 a. 31 ss. 551 to 557m, 564m; 1989 a. 56 s. 259; 1989 a. 336; 1991 a. 37; 1991 a. 39 ss. 250m, 653m to 659m; 1991 a. 225, 269; 1993 a. 16, 267; 1995 a. 27, 56, 209, 417; 1997 a. 27, 237; 1999 a. 5, 9, 10; 1999 a. 150 s. 672; 1999 a. 167; 2001 a. 16, 105, 109; 2003 a. 31, 33, 320; 2005 a. 25, 361, 405, 483; s. 13.93 (b).

SECTION 3. 20.835 (1) (dc) of the statutes is created to read:

20.835 (1) (dc) County aid account; supplemental. A sum sufficient to make payments to counties under ss. 79.035 and 79.043, less the amounts paid from the appropriation account under s. 20.835 (1) (q).

SECTION 4. 20.835 (1) (q) of the statutes is created to read:

20.835 (1) (q) County aid account. From the county aid fund, a sum sufficient to make payments to counties under ss. 79.035 and 79.043.

SECTION 5. 25.51 of the statutes is created to read:

INS
I-2A(A)
I-5mm-213m
(to Ins 1-2)

Insert 1-2 JK
(to INS 1-2)

Insert an open (to Ins A-JK)

NOTE: BUD

NOTE: BUD

NOTE: BUD

INS
CS-12:2
(to INS 1-2JK)

INS 1-2 JK
Cont

1 **25.51 County aid fund.** ✓ There is established a separate nonlapsible trust
2 fund designated as the county aid fund consisting of the moneys the state receives
3 under s. 77.24. ✓

✓ Insert
XXXXXXXXXX
1-2 Bgmn
(to INS 1-2 JK)

Insert 2-16 JK

4 **SECTION 6.** 77.24 of the statutes is amended to read: ✓

5 **77.24 Division of fee.** Twenty Ten ✓ percent of all fees collected under this
6 subchapter shall be retained by the county and the balance shall be transmitted to
7 the state. Remittances shall be made monthly by the county treasurers to the
8 department of revenue by the 15th day of the month following the close of the month
9 in which the fee was collected. The remittance to the department shall be
10 accompanied by the returns executed under s. 77.22. The state shall deposit all
11 moneys received under this section into the county aid fund. ✓

History: 1977 c. 29; 1981 c. 20. ✓

12 **SECTION 7.** 79.01 (2d) of the statutes is amended to read: ✓

13 79.01 (2d) There is established an account in the general fund entitled the
14 "County and Municipal Aid Account." ✓

History: 1971 c. 125; 1973 c. 90; 1973 c. 243 s. 82; 1973 c. 285, 336; 1975 c. 39; 1977 c. 29, 203; 1979 c. 221; 1989 a. 336; 1993 a. 16, 437; 1999 a. 9; 2001 a. 16, 109; 2003 a. 31. ✓

15 **SECTION 8.** 79.035 (1) of the statutes is amended to read:

16 79.035 (1) In 2004 and subsequent years, each county and municipality shall
17 receive a payment ~~from the county and municipal aid account~~ ✓ in an amount
18 determined under sub. (2).

✓ Insert
2-16
sum
(to
Ins 2-16 JK)

History: 2001 a. 109; 2003 a. 33, 164, 320, 327.

Insert 3-4

19 (2) COUNTY AID. ✓ The treatment of sections 20.835 (1) (db), (dc), and (q), 79.01
20 (2d), ✓ and 79.035 (1) ✓ of the statutes takes effect on July 1, 2008. ✓

1/25 Darren Easton
Redraft LRB-1181/4: need to add 3 new
S&G approps parallel to (a), (c), and (fm)
existing approps

