



2007 ASSEMBLY BILL 409

1 **AN ACT** *to amend* 66.1105 (2) (f) 1. (intro.), 66.1105 (4) (f) and 66.1105 (4m) (a);
2 and *to create* 66.1105 (2) (f) 1. n. and 66.1105 (4m) (d) of the statutes; **relating**
3 **to:** expanding the area in which a tax incremental district's project costs may
4 be expended.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 66.1105 (2) (f) 1. (intro.) of the statutes is amended to read:
6 66.1105 (2) (f) 1. (intro.) "Project costs" mean any expenditures made or
7 estimated to be made or monetary obligations incurred or estimated to be incurred
8 by the city which are listed in a project plan as costs of public works or improvements
9 within a tax incremental district or, to the extent provided in subds. 1. k. and 1. m.,
10 and 1. n. without the district, plus any incidental costs, diminished by any income,

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1 special assessments, or other revenues, including user fees or charges, other than tax
2 increments, received or reasonably expected to be received by the city in connection
3 with the implementation of the plan. For any tax incremental district for which a
4 project plan is approved on or after July 31, 1981, only a proportionate share of the
5 costs permitted under this subdivision may be included as project costs to the extent
6 that they benefit the tax incremental district. To the extent the costs benefit the
7 municipality outside the tax incremental district, a proportionate share of the cost
8 is not a project cost. “Project costs” include:

9 **SECTION 2.** 66.1105 (2) (f) 1. n. of the statutes is created to read:

10 66.1105 (2) (f) 1. n. With regard to a tax incremental district that is located
11 anywhere other than a city to which sub. (6) (d) applies, and subject to sub. (4m) (d),
12 project costs incurred for territory that is located within a one-half mile radius of the
13 district’s boundaries and within the city that created the district.

14 **SECTION 3.** 66.1105 (4) (f) of the statutes is amended to read:

15 66.1105 (4) (f) Adoption by the planning commission of a project plan for each
16 tax incremental district and submission of the plan to the local legislative body. The
17 plan shall include a statement listing the kind, number and location of all proposed
18 public works or improvements within the district or, to the extent provided in sub.
19 (2) (f) 1. k. and 1. n., outside the district, an economic feasibility study, a detailed list
20 of estimated project costs, and a description of the methods of financing all estimated
21 project costs and the time when the related costs or monetary obligations are to be
22 incurred. The plan shall also include a map showing existing uses and conditions of
23 real property in the district; a map showing proposed improvements and uses in the
24 district; proposed changes of zoning ordinances, master plan, if any, map, building
25 codes and city ordinances; a list of estimated nonproject costs; and a statement of the

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1 proposed method for the relocation of any persons to be displaced. The plan shall
2 indicate how creation of the tax incremental district promotes the orderly
3 development of the city. The city shall include in the plan an opinion of the city
4 attorney or of an attorney retained by the city advising whether the plan is complete
5 and complies with this section.

6 **SECTION 4.** 66.1105 (4m) (a) of the statutes is amended to read:

7 66.1105 **(4m)** (a) Any city that seeks to create a tax incremental district or,
8 amend a project plan, or incur project costs as described in sub. (2) (f) 1. n. for an area
9 that is outside of a district's boundaries, shall convene a temporary joint review
10 board under this paragraph, or a standing joint review board under sub. (3) (g), to
11 review the proposal. Except as provided in par. (am), and subject to par. (ae), the
12 board shall consist of one representative chosen by the school district that has power
13 to levy taxes on the property within the tax incremental district, one representative
14 chosen by the technical college district that has power to levy taxes on the property
15 within the tax incremental district, one representative chosen by the county that has
16 power to levy taxes on the property within the tax incremental district, one
17 representative chosen by the city, and one public member. If more than one school
18 district, more than one union high school district, more than one elementary school
19 district, more than one technical college district or more than one county has the
20 power to levy taxes on the property within the tax incremental district, the unit in
21 which is located property of the tax incremental district that has the greatest value
22 shall choose that representative to the board. The public member and the board's
23 chairperson shall be selected by a majority of the other board members before the
24 public hearing under sub. (4) (a) or (h) 1. is held. All board members shall be
25 appointed and the first board meeting held within 14 days after the notice is

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1 published under sub. (4) (a) or (h) 1. Additional meetings of the board shall be held
2 upon the call of any member. The city that seeks to create the tax incremental district
3 ~~or to~~ amend its project plan, or make or incur an expenditure as described in sub.
4 (2) (f) 1. n. for an area that is outside of a district's boundaries shall provide
5 administrative support for the board. By majority vote, the board may disband
6 following approval or rejection of the proposal, unless the board is a standing board
7 that is created by the city under sub. (3) (g).

8 **SECTION 5.** 66.1105 (4m) (d) of the statutes is created to read:

9 66.1105 **(4m)** (d) Before a city may make or incur an expenditure for project
10 costs, as described in sub. (2) (f) 1. n., for an area that is outside of a district's
11 boundaries, the joint review board must approve the proposed expenditure.

12 (END)