

2009 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB159)

Received: **06/03/2009**

Received By: **jkreye**

Wanted: **Soon**

Identical to LRB:

For: **Kim Hixson (608) 266-9650**

By/Representing: **john**

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.Hixson@legis.wisconsin.gov**

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

Pre Topic:

No specific pre topic given

Topic:

Charge-back of refunded or rescinded taxes and of personal property taxes

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>
/?	jkreye 06/03/2009	jdyer 06/04/2009		_____			
/1	jkreye 06/17/2009	jdyer 06/17/2009	mduchek 06/04/2009	_____	sbasford 06/04/2009	sbasford 06/04/2009	
/2	chanaman 06/18/2009	jdyer 06/18/2009	jfrantze 06/17/2009	_____	lparisi 06/17/2009	lparisi 06/17/2009	
/3			rschluet	_____	lparisi	lparisi	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			06/18/2009 _____		06/18/2009	06/18/2009	

FE Sent For:

<END>

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/2		13 6/18 JLD	jfrantze 06/17/2009	_____ _____	lparisi 06/17/2009	lparisi 06/17/2009	

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/1		<i>2/17 jld</i>	mduchek 06/04/2009	<i>JK</i> <i>km</i> <i>17</i>	sbasford 06/04/2009	sbasford 06/04/2009	

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/?	jkreye	1 6/4 jld	MD 6/4	6/4 Km			

FE Sent For:

<END>

AB 159 Recommended Changes for Sections 1, 2 and 3

1. Omitted Taxes Option 1

- a. Section 1, page 1, line 1 and 2 – Change to read: “If the total of all omitted taxes collected for the taxation district exceeds \$XXX in a calendar year, pay to each taxing jurisdiction within the taxation district its proportionate share collected under s. 70.44. The proportionate share is based on the proportionate share for the year of omitted tax.
- b. Section 2, page 1, line 5 and 6 – Change to read: “If the total of all omitted taxes collected for the taxation district exceeds \$XXX in a calendar year, pay to each taxing jurisdiction within the taxation district its proportionate share collected under s. 70.44. The proportionate share is based on the proportionate share for the year of omitted tax.
- c. Section 3, page 1, line 8 and 9 – Change to read: “If the total of all omitted taxes collected for the taxation district exceeds \$XXX in a calendar year, pay to each taxing jurisdiction within the taxation district its proportionate share collected under s. 70.44. The proportionate share is based on the proportionate share for the year of omitted tax.

2. Omitted Taxes Option 2

- a. Repeal/remove s. 74.23(1) (a) 4, s. 74.25 (1) (a) 4, and s. 74.30 (1) (d) from the status. Although this would not give specific instructions regarding omitted tax, it would imply that the taxation district must settle taxes collected under s. 70.44 with each taxing jurisdiction within the taxation district.

MEMORANDUM

April 16, 2009

TO: Joseph T. Kreye
Legislative Reference Bureau

FROM: Paul Ziegler
Department of Revenue

SUBJECT: Technical Memorandum on AB 159 Relating to the Charge-Back of Refunded and Rescinded Taxes and Sharing of Certain Collected Taxes

The Department of Revenue (DOR) has the following concern with the bill.

Currently, s. 74.41 deals with refunded or rescinded property tax bills. The procedures under this section address taxes that were repaid to the property owner, or were settled for with the overlying taxation jurisdictions by the taxation district (municipality). In such a situation, a taxation district uses the procedures under this section to recover the repaid or rescinded taxes from its overlying taxation districts.

Omitted property taxes are, in a way, the opposite of refunded or rescinded property taxes in that omitted taxes are levies that should have been billed in prior years but, for some reason, were not actually billed.

The bill blends adjustments for over and under taxation into one tally. Under s.74.41 however, this blending may not result in chargebacks or distributions if DOR either determines that no changes to equalized value are warranted or if an adjustment is made to subsequent equalized values under s.70.57. In addition, s.74.41 only applies when certain dollar thresholds are reached (\$5,000 in aggregate or \$500 or any individual correction). Because of these factors, adding omitted property taxes to the procedures under s. 74.41 may not accomplish what appears to be one of the goals of the bill, specifically, the sharing of omitted property taxes.

We believe that the goal of sharing omitted taxes can be accomplished by other means. Two approaches are discussed below.

One approach would be to repeal those sections in the settlement language that permit taxation districts to retain all collections of omitted property taxes. Thus, in the bill, instead of amending s. 74.23 (1) (a) 4., s. 74.25 (1) (a) 4., and s. 74.30 (1) (d), these sections could be repealed. While this approach would require omitted property taxes that have been collected to be dispersed through the existing settlement process, it simplifies the methodology by sharing the omitted taxes based on current year tax rates, not the tax rates in effect for the years the taxes were omitted.

Another approach would be to create a new statute that requires taxation districts to share their omitted taxes with their overlying taxation jurisdictions only when certain conditions are met. This section could be based, in part, on appropriate parts of s. 74.41. For example, annually, by October 1, a taxation district that has collected more than some amount (perhaps \$1,000 or \$5,000) of omitted taxes must submit to DOR, on a form prescribed by DOR, a listing of all omitted property taxes collected that calendar year. DOR would then determine the amount due to the overlying taxation jurisdictions. By November 15, DOR would notify the taxation district of the amounts it must pay to the overlying taxation jurisdictions. The taxation district would be required to pay the amounts by the following February 15.

The first approach would require some reprogramming regarding the property tax settlement process for DOR, counties, and those municipalities which permit taxes to be paid in 3 or more installments. The second approach would require the same changes, plus a new process in DOR to fulfill the processes regarding the new reporting form.

If the bill's current approach to dispersing omitted taxes is retained, DOR recommends that omitted taxes be explicitly included in s.74.41(4)(b)'s references to taxes to be shared.

If you have any questions regarding this technical memorandum, please contact Daniel Huegel at 266-5705.

cc: Representative Kim Hixson

Change #1: Section 1, page 2, lines 2-3: Strike whole section “~~Retain all collections of omitted property taxes under s. 70.44, except those subject to a charge-back under s. 74.41 or 74.42.~~” and insert “If all of the omitted taxes collected for the taxation district total at least \$5000 in a calendar, the treasurer for the taxation district shall pay each taxing jurisdiction within the taxation district its proportionate share collected under s. 70.44. The proportionate share is based upon the proportionate share for the year of the omitted tax.”

Note: This change is in response to DOR's technical memo, indicating that omitted taxes may not always be charged back or distributed. It uses the \$5000 threshold listed in s. 74.41 (2) (a). Do not use the other threshold of \$500 for individual property as listed in 70.41 (2) (b).

Change #2: Repeat this change for sections 2 and 3 of the bill.

Change #3: Section 6, page 3, line 6: after “settled in full in the previous”, strike February and insert “year”.

Note: This encompasses recent changes in the law which allow settlements to occur in August, as well as February.

✓ **Change #4:** Section 6, page 3, line 9: after “operations or”, insert “filed bankruptcy.” *(filed in)*

Note: This clarifies to taxation districts that they may charge-back for personal property taxes that cannot be collected due to bankruptcy law. Will this have any negative consequences with federal bankruptcy law?

Change #5: Section 6, page 3, line 16: strike “2009” and insert “2010”.

Change #6: Amend 74.41 (2) (a) by striking the phrase “~~and which are listed on the same form~~”

Note: This makes current law consistent with current practice. DOR revised the forms such that the chargeback amounts are cumulatively added together but they aren't listed on the same form.



State of Wisconsin
2009 - 2010 LEGISLATURE

50073/1
LRB-0994/1
JK:jld:md
↑
stays

ASA TO

2009 ASSEMBLY BILL 159

in 6-3-09

March 19, 2009 - Introduced by Representatives HIXSON, BERCEAU, BENEDICT, FIELDS, SEIDEL, KESTELL, TOWNSEND, BALLWEG and DAVIS, cosponsored by Senators ROBSON, OLSEN and GROTHMAN. Referred to Committee on Urban and Local Affairs.

Regen

✓

- 1 AN ACT *to amend* 74.23 (1) (a) 4., 74.25 (1) (a) 4., 74.30 (1) (d), 74.41 (1) (intro.)
- 2 and 74.42 (1); and *to create* 74.41 (1) (e) of the statutes; **relating to:** the
- 3 charge-back of refunded or rescinded taxes and of personal property taxes and
- 4 sharing certain collected taxes. ✓

Analysis by the Legislative Reference Bureau

Under current law, no later than October 1 of each year, a taxation district clerk may submit to the Department of Revenue (DOR) a list of property taxes on the district's tax roll that have been refunded to taxpayers or rescinded. The list may also include property taxes that the district collected as a result of certain errors in the district's tax roll. Under current law, the taxation district must distribute a proportionate share of the amount of any such collected taxes to the taxing jurisdictions that are part of the taxation district. Under this bill, a taxation district clerk must submit the district's list of refunded or rescinded taxes to DOR and must include on the list the amount of any property taxes collected on property that was omitted from the property tax roll in the previous two years and distribute a proportionate share of that amount to the taxing jurisdictions that are part of the taxation district.

Under current law, no earlier than February 2 and no later than April 1, a taxation district treasurer may charge back to each taxing jurisdiction its proportionate share of personal property taxes that the taxation district settled in full the previous February, that were delinquent at the time of settlement, that have not been collected in the year following the settlement, and that remain delinquent.

ASSEMBLY BILL 159

Under this bill, the personal property taxes that a taxation district may charge back to the taxing jurisdictions are personal property taxes owed by an entity that has ceased operations or due on personal property that has been removed from the next assessment roll.

Under current law, a taxing jurisdiction must pay the taxation district the amount of any charge-back of personal property taxes within 30 days of receiving the charge-back notice from the taxation district. Under the bill, a taxing jurisdiction must pay the taxation district the amount of any charge-back of personal property taxes no later than May 1.

For further information see the *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:

SECTION 1. 74.23 (1) (a) 4. of the statutes is amended to read:

74.23 (1) (a) 4. Retain all collections of omitted property taxes under s. 70.44, except those subject to a charge-back under s. 74.41 or 74.42.

SECTION 2. 74.25 (1) (a) 4. of the statutes is amended to read:

74.25 (1) (a) 4. Retain all collections of omitted property taxes under s. 70.44, except those subject to a charge-back under s. 74.41 or 74.42.

SECTION 3. 74.30 (1) (d) of the statutes is amended to read:

74.30 (1) (d) Retain all collections of omitted property taxes under s. 70.44, except those subject to a charge-back under s. 74.41 or 74.42.

SECTION 4. 74.41 (1) (intro.) of the statutes is amended to read:

74.41 (1) SUBMISSION OF REFUNDED OR RESCINDED TAXES TO DEPARTMENT. (intro.)
By October 1 of each year, the clerk of a taxation district ~~may~~ shall submit to the department of revenue, on a form prescribed by the department of revenue, a listing of all general property taxes on the district's tax roll which, subject to sub. (2), meet any of the following conditions:

SECTION 5. 74.41 (1) (e) of the statutes is created to read:

✓
INTEXT
2-9

ASSEMBLY BILL 159

1 74.41 (1) (e) Have been collected under s. 70.44. ✓

2 **SECTION 6.** 74.42 (1) of the statutes is amended to read:

✓ year

3 74.42 (1) CHARGE BACK. No earlier than February 2 and no later than April 1,
4 the taxation district treasurer may charge back to each taxing jurisdiction ✓ within the

5 taxation district, except this state, its proportionate share of those personal property

6 taxes for which the taxation district settled in full the previous ~~February~~ ✓, which were

7 delinquent at the time of settlement, which have not been collected in the intervening

8 year, and which remain delinquent, if the taxes are owed by an entity that has ceased

9 operations or are due on personal property that has been removed from the next

10 assessment roll. At the same time, if there are charge-backs, the taxation district

11 treasurer shall charge back to the county the state's proportionate share of those

12 taxes. ~~Within 30 days~~ No later than the first May 1 ✓ after receipt of a notice of a

13 charge-back, the taxing jurisdiction shall pay to the taxation district treasurer the

14 amount due, and the state shall pay to the proper county treasurer the amount due.

15 **SECTION 7. Initial applicability.**

16 (1) This act first applies to the property tax assessments as of January 1, ~~2009~~ ✓

17 (END)

✓ 2010

✓ INSERT
3-14

✓ , or filed a petition for bankruptcy, ✓

Insert 2 - 9

1 SECTION 1. 74.23 (1) (a) 4. of the statutes is repealed and recreated to read:

2 74.23 (1) (a) 4. If the total of all of the omitted property taxes collected for the
3 taxation district is at least \$5,000 in a calendar year, pay each taxing jurisdiction
4 with the taxation district its proportionate share collected under s. 70.44, based on
5 the taxing jurisdiction's proportionate share collected under s. 70.44 for the year of
6 the omitted tax.

7 SECTION 2. 74.25 (1) (a) 4. of the statutes is repealed and recreated to read:

8 74.25 (1) (a) 4. If the total of all of the omitted property taxes collected for the
9 taxation district is at least \$5,000 in a calendar year, pay each taxing jurisdiction
10 with the taxation district its proportionate share collected under s. 70.44, based on
11 the taxing jurisdiction's proportionate share collected under s. 70.44 for the year of
12 the omitted tax.

13 SECTION 3. 74.30 (1) (d) of the statutes is repealed and recreated to read:

14 74.30 (1) (d) If the total of all of the omitted property taxes collected for the
15 taxation district is at least \$5,000 in a calendar year, pay each taxing jurisdiction
16 with the taxation district its proportionate share collected under s. 70.44, based on
17 the taxing jurisdiction's proportionate share collected under s. 70.44 for the year of
18 the omitted tax.

Insert 3 - 14

19 SECTION 4. 74.41 (2) (a) of the statutes is amended to read:

20 74.41 (2) (a) The tax and all other taxes under sub. (1) which are levied for the
21 same year and which are listed on the same form total at least \$5,000.



ASSEMBLY SUBSTITUTE AMENDMENT,
TO 2009 ASSEMBLY BILL 159

*p 2, lines 3, 6, and 9
change - look a sharing
using original bill*

1 AN ACT *to amend* 74.41 (1) (intro.), 74.41 (2) (a) and 74.42 (1); *to repeal and*
2 *recreate* 74.23 (1) (a) 4., 74.25 (1) (a) 4. and 74.30 (1) (d); and *to create* 74.41
3 (1) (e) of the statutes; **relating to:** the charge-back of refunded or rescinded
4 taxes and of personal property taxes and sharing certain collected taxes.

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

5 SECTION 1. 74.23 (1) (a) 4. of the statutes is repealed and recreated to read:
6 74.23 (1) (a) 4. ~~If the total of all of the omitted property taxes collected for the~~
7 ~~taxation district is at least \$5,000 in a calendar year, pay each taxing jurisdiction~~
8 ~~within the taxation district its proportionate share collected under s. 70.44, based on~~
9 ~~the taxing jurisdiction's proportionate share collected under s. 70.44 for the year of~~
10 ~~the omitted tax.~~

11 SECTION 2. 74.25 (1) (a) 4. of the statutes is repealed and recreated to read:

*insert
2-19*

go back to last section

1 74.25 (1) (a) 4. If the total of all of the omitted property taxes collected for the
2 taxation district is at least \$5,000 in a calendar year, pay each taxing jurisdiction
3 within the taxation district its proportionate share collected under s. 70.44, based on
4 the taxing jurisdiction's proportionate share collected under s. 70.44 for the year of
5 the omitted tax.

6 **SECTION 3.** 74.30 (1) (d) of the statutes is repealed and recreated to read:

7 74.30 (1) (d) If the total of all of the omitted property taxes collected for the
8 taxation district is at least \$5,000 in a calendar year, pay each taxing jurisdiction
9 within the taxation district its proportionate share collected under s. 70.44, based on
10 the taxing jurisdiction's proportionate share collected under s. 70.44 for the year of
11 the omitted tax.

12 **SECTION 4.** 74.41 (1) (intro.) of the statutes is amended to read:

OK

13 74.41 (1) SUBMISSION OF REFUNDED OR RESCINDED TAXES TO DEPARTMENT. (intro.)
14 By October 1 of each year, the clerk of a taxation district ~~may~~ shall submit to the
15 department of revenue, on a form prescribed by the department of revenue, a listing
16 of all general property taxes on the district's tax roll which, subject to sub. (2), meet
17 any of the following conditions:

18 **SECTION 5.** 74.41 (1) (e) of the statutes is created to read:

19 74.41 (1) (e) Have been collected under s. 70.44.

if the school, etc. plan pt. - lines 1 and 2

20 **SECTION 6.** 74.41 (2) (a) of the statutes is amended to read:

OK

21 74.41 (2) (a) The tax and all other taxes under sub. (1) which are levied for the
22 same year ~~and which are listed on the same form~~ total at least \$5,000.

23 **SECTION 7.** 74.42 (1) of the statutes is amended to read:

24 74.42 (1) **CHARGE BACK.** No earlier than February 2 and no later than April 1,
25 the taxation district treasurer may charge back to each taxing jurisdiction within the

1 taxation district, except this state, its proportionate share of those personal property
2 taxes for which the taxation district settled in full the previous ~~February year~~, which
3 *on* were delinquent at the time of settlement, which have not been collected in the
4 ~~intervening year, and which remain delinquent, if the taxes are owed by an entity~~
5 ~~that has ceased operations, or filed a petition for bankruptcy, or are due on personal~~
6 ~~property that has been removed from the next assessment roll.~~ At the same time,
7 if there are charge-backs, the taxation district treasurer shall charge back to the
8 county the state's proportionate share of those taxes. ~~Within 30 days~~ No later than
9 the first May 1 after receipt of a notice of a charge-back, the taxing jurisdiction shall
10 pay to the taxation district treasurer the amount due, and the state shall pay to the
11 proper county treasurer the amount due.

12 **SECTION 8. Initial applicability.**

13 *on* (1) This act first applies to the property tax assessments as of January 1, 2010.

14 (END)



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBs0073/1
JK:jld:md
RM not R

ASSEMBLY SUBSTITUTE AMENDMENT,
TO 2009 ASSEMBLY BILL 159

in 6-17-09 due Fri. 6-19

✓

re-gen

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2 recreate 74.23 (1) (a) 4., 74.25 (1) (a) 4. and 74.30 (1) (d); and to create 74.41
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9 the taxing jurisdiction's proportionate share collected under s. 70.44 for the year of
10 the omitted tax.
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d

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 11 the omitted tax.

✓
 INSERT
 2-11

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 15 department of revenue, on a form prescribed by the department of revenue, a listing
 16 of all general property taxes on the district's tax roll which, subject to sub. (2), meet
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19 74.41 (1) (e) Have been collected under s. 70.44

20 **SECTION 6.** 74.41 (2) (a) of the statutes is amended to read:

21 74.41 (2) (a) The tax and all other taxes under sub. (1) which are levied for the
 22 same year ~~and which are listed on the same form~~ total at least \$5,000. ✓

23 **SECTION 7.** 74.42 (1) of the statutes is amended to read:

24 74.42 (1) CHARGE BACK. No earlier than February 2 and no later than April 1,
 25 the taxation district treasurer may charge back to each taxing jurisdiction within the

NOFF, if the total of all of the omitted property taxes collected for the taxation district is at least \$5,000 in a calendar year ✓

1 taxation district, except this state, its proportionate share of those personal property
2 taxes for which the taxation district settled in full the previous February year, which
3 were delinquent at the time of settlement, which have not been collected in the
4 intervening year, and which remain delinquent, if the taxes are owed by an entity
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14 (END)

ASSEMBLY BILL 159

Under this bill, the personal property taxes that a taxation district may charge back to the taxing jurisdictions are personal property taxes owed by an entity that has ceased operations or due on personal property that has been removed from the next assessment roll.

Under current law, a taxing jurisdiction must pay the taxation district the amount of any charge-back of personal property taxes within 30 days of receiving the charge-back notice from the taxation district. Under the bill, a taxing jurisdiction must pay the taxation district the amount of any charge-back of personal property taxes no later than May 1.

For further information see the *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:

INSERT
2-11

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2 74.23 (1) (a) 4. Retain all collections of omitted property taxes under s. 70.44,
3 except those subject to a charge-back under s. 74.41 or 74.42. ✓

4 SECTION 2. 74.25 (1) (a) 4. ✓ of the statutes is amended to read:

5 74.25 (1) (a) 4. Retain all collections of omitted property taxes under s. 70.44,
6 except those subject to a charge-back under s. 74.41 or 74.42. ✓

7 SECTION 3. 74.30 (1) (d) ✓ of the statutes is amended to read:

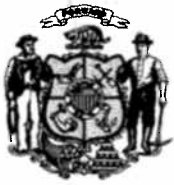
8 74.30 (1) (d) Retain all collections of omitted property taxes under s. 70.44,
9 except those subject to a charge-back under s. 74.41 or 74.42. ✓ (end ins)

10 SECTION 4. 74.41 (1) (intro.) of the statutes is amended to read:

11 74.41 (1) SUBMISSION OF REFUNDED OR RESCINDED TAXES TO DEPARTMENT. (intro.)
12 By October 1 of each year, the clerk of a taxation district may shall submit to the
13 department of revenue, on a form prescribed by the department of revenue, a listing
14 of all general property taxes on the district's tax roll which, subject to sub. (2), meet
15 any of the following conditions:

16 SECTION 5. 74.41 (1) (e) of the statutes is created to read:

6



RMR

ASSEMBLY SUBSTITUTE AMENDMENT,
TO 2009 ASSEMBLY BILL 159

in 6-17-09
blue FR1 6-19

or sharing ✓

Regen

1 AN ACT to amend 74.23 (1) (a) 4., 74.25 (1) (a) 4., 74.30 (1) (d), 74.41 (1) (intro.),
2 74.41 (2) (a) and 74.42 (1); and to create 74.41 (1) (e) of the statutes; relating
3 to: the charge-back of refunded or rescinded taxes and of personal property
4 taxes and sharing ✓ certain collected taxes.

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

5 SECTION 1. 74.23 (1) (a) 4. of the statutes is amended to read:
6 74.23 (1) (a) 4. Retain all collections of omitted property taxes under s. 70.44,
7 except those subject to a charge-back under s. 74.41 or 74.42.

8 SECTION 2. 74.25 (1) (a) 4. of the statutes is amended to read:
9 74.25 (1) (a) 4. Retain all collections of omitted property taxes under s. 70.44,
10 except those subject to a charge-back under s. 74.41 or 74.42.

11 SECTION 3. 74.30 (1) (d) of the statutes is amended to read:

or sharing ✓

1 74.30 (1) (d) Retain all collections of omitted property taxes under s. 70.44,
2 except those subject to a charge-back under s. 74.41 or 74.42.

3 SECTION 4. 74.41 (1) (intro.) of the statutes is amended to read:

4 74.41 (1) SUBMISSION OF REFUNDED OR RESCINDED TAXES TO DEPARTMENT. (intro.)
5 By October 1 of each year, the clerk of a taxation district ~~may~~ shall submit to the
6 department of revenue, on a form prescribed by the department of revenue, a listing
7 of all general property taxes on the district's tax roll which, subject to sub. (2), meet
8 any of the following conditions:

9 SECTION 5. 74.41 (1) (e) of the statutes is created to read:

10 74.41 (1) (e) Have been collected under s. 70.44, if the total of all of the omitted
11 property taxes collected for the taxation district is at least \$5,000 in a calender year.

12 SECTION 6. 74.41 (2) (a) of the statutes is amended to read:

13 74.41 (2) (a) The tax and all other taxes under sub. (1) which are levied for the
14 same year ~~and which are listed on the same form~~ total at least \$5,000.

15 SECTION 7. 74.42 (1) of the statutes is amended to read:

16 74.42 (1) CHARGE BACK. No earlier than February 2 and no later than April 1,
17 the taxation district treasurer may charge back to each taxing jurisdiction within the
18 taxation district, except this state, its proportionate share of those personal property
19 taxes for which the taxation district settled in full the previous February year, which
20 were delinquent at the time of settlement, which have not been collected in the
21 intervening year, and which remain delinquent, if the taxes are owed by an entity
22 that has ceased operations, or filed a petition for bankruptcy, or are due on personal
23 property that has been removed from the next assessment roll. At the same time,
24 if there are charge-backs, the taxation district treasurer shall charge back to the
25 county the state's proportionate share of those taxes. ~~Within 30 days~~ No later than

1 the first May 1 after receipt of a notice of a charge-back, the taxing jurisdiction shall
2 pay to the taxation district treasurer the amount due, and the state shall pay to the
3 proper county treasurer the amount due.

4 **SECTION 8. Initial applicability.**

5 (1) This act first applies to the property tax assessments as of January 1, 2010.

6 (END)