

Fiscal Estimate - 2009 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 09-2330/1	Introduction Number AB-0239	
Description limiting a city's and village's use of direct annexation and authorizing limited town challenges to an annexation.		
Fiscal Effect		
State:		
<input checked="" type="checkbox"/> No State Fiscal Effect		
<input type="checkbox"/> Indeterminate		
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local:		
<input type="checkbox"/> No Local Government Costs		
<input checked="" type="checkbox"/> Indeterminate		
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Government Units Affected <input checked="" type="checkbox"/> Towns <input checked="" type="checkbox"/> Village <input checked="" type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
Fund Sources Affected		
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
Affected Ch. 20 Appropriations		
Agency/Prepared By DOA/ Cathleen Connolly (608) 261-2292	Authorized Signature Martha Kerner (608) 266-1359	Date 11/17/2009

Fiscal Estimate Narratives

DOA 11/17/2009

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Assumptions Used in Arriving at Fiscal Estimate

STATE FISCAL EFFECT

Assembly Bill 239's proposed change in law will not impact the State's responsibility to review proposed annexations within counties having a population of 50,000 or more and to issue an advisory opinion as to whether the annexation is in, or against, the public interest as defined in statute. Therefore, there is no anticipated state fiscal effect.

LOCAL FISCAL EFFECT

Assembly Bill 239's proposed change in law would clarify the prohibition against direct annexation by unanimous consent of any property that is not contiguous to the annexing city or village. The bill would also allow towns to initiate an action to contest a direct annexation by unanimous consent on the ground that the land being annexed is not contiguous to the annexing city or village.

The proposed changes may limit the number of annexations that are proposed under the direct annexation by unanimous consent option, however, cities, villages and private parties may choose other options. It is not possible to forecast whether overall the number of proposed annexations will decrease or increase.

Assembly Amendment 1 to AB 239 creates a requirement that if a court finds that the challenged annexation involved land that is contiguous to a city or village the court must order the town to pay actual attorney fees up to \$5,000 to the city or village. It is not possible to forecast the impact of this potential additional cost to litigating an annexation under s. 66.0217(2), Stats.

The bill does not require any party to engage in litigation. The proposed changes may result in greater litigation around the issue of contiguity of annexed land and, therefore, result in greater costs for towns, cities and villages. However, those possible costs are speculative and indeterminate.

Long-Range Fiscal Implications

Unknown.