



## 2011 ASSEMBLY BILL 181

June 13, 2011 – Introduced by Representatives A. OTT, BERNIER, BIES, BROOKS, CRAIG, KERKMAN, KESTELL, LEMAHIEU, MURTHA, PETERSEN, PRIDEMORE, SPANBAUER, TAUCHEN and VRUWINK, cosponsored by Senators LASEE, HOLPERIN, KEDZIE and MOULTON. Referred to Committee on Rural Economic Development and Rural Affairs.

1     **AN ACT** *to repeal* 66.0217 (11) (c); and *to amend* 66.0307 (4m) (c) 2. (intro.) of  
2             the statutes; **relating to:** authorizing towns to challenge certain city or village  
3             annexation procedures.

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### ***Analysis by the Legislative Reference Bureau***

Currently, town territory that is contiguous to any city or village may be annexed to that city or village under several methods if, in general, some of the city's or village's territory is in the same county as the territory to be annexed, unless both the town and county boards approve of the proposed annexation, and the city or village agrees to make limited payments to the town based on property taxes that the town levied on the annexed territory.

One of the methods of annexation is direct annexation by unanimous approval. If a petition for direct annexation by unanimous approval signed by all of the electors residing in the territory and the owners of all of the real property in the territory is filed with the city or village clerk and the town clerk of all of the involved towns, along with a scale map and legal description of the property to be annexed, the governing body of the city or village may, generally, annex the property by a two-thirds vote of the body. Such an annexation, however, is subject to Department of Administration advisory review as if the annexation petition were for direct, but not unanimous, annexation or annexation by referendum. In addition, such an annexation is limited under current law to town land that is contiguous to the annexing city or village.

Under current law, a town may not challenge in court, on any grounds, any direct annexation by unanimous approval as well as several other types of

