



State of Wisconsin

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STEPHEN R. MILLER
CHIEF

December 20, 2013

MEMORANDUM

To: Senator Darling

From: Joseph T. Kreye, Sr. Legislative Attorney, (608) 266-2263

Subject: Technical Memorandum to **2013 SB 414** (LRB-3192/1) by **DOR**

We received the attached technical memorandum relating to your bill. This copy is for your information and your file.

If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.

MEMORANDUM

December 20, 2013

TO: Joseph T. Kreye
Legislative Reference Bureau

FROM: Robert Schmidt
Department of Revenue

SUBJECT: Technical Memorandum on 2013 SB 414 Regarding Objecting to Property Tax Assessments

The Department of Revenue (DOR) has the following concerns regarding the bill:

1. Changing the deadline for a Notice of Assessment from 15 days to 60 days prior to the start of the appeal process at the Board of Review (BOR) would require additional legislative changes, since the bill affects statutory deadlines throughout the assessment cycle.

For instance statements of personal property are due March 1st, and current law requires that the BOR process start during the 30-day period beginning on the second week of May. Requiring 60 days of notice would push notices of changed assessment back to the beginning of March, and assessors would have little or no time to process the statements of personal property before they would need to publish notices. Otherwise, the BOR process and all other subsequent procedures need to be pushed back, which also require legislative changes.

2. Changes to the BOR timeline may reduce the accuracy of equalized values, which would negatively impact the apportionment of property taxes, the accuracy of tax bills, the calculation of property tax credits, and the distribution of school aid.
3. The current BOR process requires sworn oral testimony by property owners and allows the BOR to question and review the testimony of both parties. By allowing written statements, neither party would be able to fully present their case, contest findings, or field questions from the BOR.
4. The bill provides that the amendments apply to the property tax assessments as of January 1, 2014. The DOR would not have time to distribute updated timeline and other information nor allow assessors and Board of Review members to adjust their schedules according to the new timeline. The DOR will also need adequate time to edit publications, manuals, guides, and other relevant materials, so that the law change can be properly adopted. We suggest that the proposed changes take effect on January 1, 2015, so that the bill can be accurately and consistently applied across the state.

If you have any questions on the property tax issues in the technical memorandum, please contact Yuko Iwata at 267-9892.

Cc: Senator Alberta Darling