

2015 DRAFTING REQUEST

Bill

Received: 12/30/2014 Received By: mshovers
Wanted: As time permits Same as LRB:
For: Legislative Council -study emmte 6-2298 By/Representing: Melissa Schmidt & Scott Grosz
May Contact: Drafter: mshovers
Subject: Local Gov't - tax incr financing Addl. Drafters:
Extra Copies: EVM

Submit via email: YES
Requester's email: Scott.grosz@legis.wisconsin.gov
Carbon copy (CC) to: melissa.schmidt@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Designation of a TID as distressed or severely distressed district

Instructions:

See attached. WLCS 0017/1

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>
/?	mshovers 1/13/2015			_____			
/P1		jdyer 1/19/2015	rschluet 1/19/2015	_____			
/1	mshovers 1/28/2015			_____	lparisi 1/19/2015		State S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2		wjackson 2/12/2015		_____	srose 2/12/2015	sbasford 2/12/2015	State S&L

FE Sent For:

@
INTRO

<END>

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1/2 WJ 2/12

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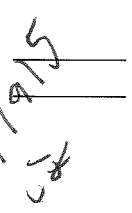
Topic:

Designation of a TID as distressed or severely distressed district ✓

Instructions:

See attached. WLCS 0017/1

Drafting History:

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1/?	mshovers	1/19 JLD					
1/13/15							
FE Sent For:							

<END>

VRB-1064

TIF: Sunset for Distressed and Severely Distressed TID
Designation
SG:ty

WLC: 0017/1

11/06/2014

1 **AN ACT** to amend 66.1105 (4e) (a) of the statutes; relating to: designation of tax
2 incremental districts as distressed or severely distressed districts.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the Joint Legislative Council's Study Committee on Tax Incremental Financing (TIF).

Background

During the 2009–10 legislative session, TIF law was amended to allow the local legislative body of a city or village to designate a tax incremental district (TID) as a distressed TID or severely distressed TID.

As originally enacted, the distressed and severely distressed TID law required a local legislative body to declare a TID to be distressed or severely distressed by October 1, 2011. 2011 Wisconsin Act 41 extended that date to 2015 and also repealed a requirement of the distressed and severely distressed TID law that required a district to be at least 7 years old before being declared distressed or severely distressed.

Under current law, a local legislative body may designate a TID, created before October 1, 2008, as either distressed or severely distressed when the local legislative body, in addition to other procedural requirements, adopts a resolution finding that the project costs exceed the amount of revenues from all sources that the city expects the district to generate during the life of the TID.

For a local legislative body to designate a district as a severely distressed TID, a second finding is required. A severely distressed TID also requires a finding that the amount of the value increment generated in any year has declined at least 25 percent from the district's highest value increment over the course of the district's lifespan.

A local legislative body has until October 1, 2015, to declare a TID as distressed or severely distressed. Also, no TID may be declared distressed or severely distressed if the local legislative body approves a project amendment after October 1, 2009, except for the amendment that declares the TID distressed or severely distressed.

If a district is designated as a distressed TID, it may collect positive tax increments for up to 10 years after it would otherwise have been required to terminate. If a district is designated as a severely distressed TID, then it is able to collect positive tax increments for up to 40 years after the district was originally created.

The Draft

The draft replaces the October 1, 2015 deadline by which a local legislative body must declare a TID to be distressed or severely distressed with a new deadline of October 1, 2020.

1 **SECTION 1.** 66.1105 (4e) (a) of the statutes is amended to read:

2 66.1105 (4e) (a) Before October 1, 2015 2020, and subject to par. (am) and the
3 limitations in this subsection, a city may designate a tax incremental district that it created
4 before October 1, 2008, as a distressed or severely distressed tax incremental district if all of
5 the following occur or apply:

NOTE: The above amendment replaces the statutory sunset of October 1,
 2015 with a new deadline of October 1, 2020.

6

(END)



MES
JLD
①

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

IN 4/13
WANTED
1/20

X
JLD

1 AN ACT ...; relating to: designation of tax incremental districts as distressed or
2 severely distressed districts.

anal:
JLCnote

Analysis by the Legislative Reference Bureau

FE-SL

~~VARADOKAN~~

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This ~~was~~ bill was prepared for the Joint Legislative Council's Study Committee on Tax Incremental Financing (TIF).

Background

During the 2009-10 legislative session, TIF law was amended to allow the local legislative body of a city or village to designate a tax incremental district (TID) as a distressed TID or severely distressed TID.

As originally enacted, the distressed and severely distressed TID law required a local legislative body to declare a TID to be distressed or severely distressed by October 1, 2011. 2011 Wisconsin Act 41 extended that date to 2015 and also repealed a requirement of the distressed and severely distressed TID law that required a district to be at least 7 years old before being declared distressed or severely distressed.

Under current law, a local legislative body may designate a TID created before October 1, 2008, as either distressed or severely distressed when the local legislative body, in addition to other procedural requirements, adopts a resolution finding that the project costs exceed the amount of revenues from all sources that the city expects the district to generate during the life of the TID.

bill
that was created before October 1, 2008
(local government)
the
government
such
government
Not village ✓

Parisi, Lori

From: Schmidt, Melissa
Sent: Wednesday, February 11, 2015 3:06 PM
To: LRB.Legal
Subject: RE: Bills Ready for Jacketing

Sorry! See below...

Melissa Schmidt

Senior Staff Attorney
Wisconsin Legislative Council
(608) 266-2298

From: LRB.Legal
Sent: Wednesday, February 11, 2015 3:04 PM
To: Schmidt, Melissa
Subject: RE: Bills Ready for Jacketing

For Senate or Assembly please on each?

From: Schmidt, Melissa
Sent: Wednesday, February 11, 2015 3:02 PM
To: LRB.Legal
Cc: Grosz, Scott; Young, Tracey; Mautz, Kelly
Subject: Bills Ready for Jacketing

To Whom it May Concern:

The following bill drafts are ready for jacketing:

1. LRB-0918/1 (Assembly)
2. LRB-0932/1 (Assembly)
3. LRB-0922/1 (Assembly)
4. LRB-1063/1 (Senate)
5. LRB-1064/1 (Senate)
6. LRB-1065/1 (Senate)
7. LRB-1066/1 (Senate)
8. LRB-1067/1 (Senate)
9. LRB-1068/1 (Senate)
10. LRB-1069/1 (Senate)
11. LRB-1070/1 (Senate)

Thank you,

12?

Shovers, Marc

From: Shovers, Marc
Sent: Thursday, February 12, 2015 11:36 AM
To: Grosz, Scott; Schmidt, Melissa
Cc: Parisi, Lori; Hanaman, Cathlene
Subject: RE: LRB -1064

OK. We'll jacket the /2, as that was what was approved by the JLC. The /2 will be identical to the /1. Thanks.

Marc

From: Grosz, Scott
Sent: Thursday, February 12, 2015 11:11 AM
To: Schmidt, Melissa; Shovers, Marc
Cc: Parisi, Lori; Hanaman, Cathlene
Subject: RE: LRB -1064

My recollection is that there were no changes. I found it a bit curious, but figured that it may have happened inadvertently when all the others were taken from /P1 to /1, that it just happened to go from /1 to /2. I figured it couldn't hurt, so I didn't want to cause any more confusion as I know we were asking for those drafts at a pretty hectic time.

Scott

From: Schmidt, Melissa
Sent: Thursday, February 12, 2015 11:09 AM
To: Shovers, Marc; Grosz, Scott
Cc: Parisi, Lori; Hanaman, Cathlene
Subject: RE: LRB -1064

Marc,

I am cc'ing Scott on this because this was his draft. He mentioned to me that he asked you why it was a /2 when there was no /1. Maybe he might have an answer. My concern is that at this point, the JLC has voted on the /2, so I am not sure what needs to happen.

Melissa Schmidt

Senior Staff Attorney
Wisconsin Legislative Council
(608) 266-2298

From: Shovers, Marc
Sent: Thursday, February 12, 2015 10:05 AM
To: Schmidt, Melissa

Cc: Parisi, Lori; Hanaman, Cathlene

Subject: LRB -1064

Hi Melissa:

I've looked through the drafting file and my emails to see if there was ever any instruction to redraft the /1. I can't find anything. I'm not sure why the bill is electronically a /2. Maybe it was a mistake. Maybe I thought it was going to be redrafted and I ran the redraft maker and then discovered that there would be no redraft. I don't know what happened.

Do you have any recollection of what changes were to be made in the /2? If not, I think we should just return it to /1 form (if LTSB can do that) and jacket the /1. What do you think?

Thanks,

Marc

Marc Shovers
Senior Legislative Attorney
Legislative Reference Bureau
608-266-0129
marc.shovers@legis.wisconsin.gov



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-1064/1
MES:jld:rs

Stays

2015 BILL

No
changes

- 1 AN ACT to amend 66.1105 (4e) (a) of the statutes; relating to: designation of tax
2 incremental districts as distressed or severely distressed districts.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

For further information see the *state and 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:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Study Committee on Tax Incremental Financing (TIF).

Background

During the 2009-10 legislative session, the TIF law was amended to allow the local legislative body of a city or village (local government) to designate a tax incremental district (TID) that was created before October 1, 2008, as a distressed TID or severely distressed TID.

As originally enacted, the distressed and severely distressed TID law required a local government to declare a TID to be distressed or severely distressed by October 1, 2011. 2011 Wisconsin Act 41 extended that date to 2015 and also repealed a requirement of the distressed and severely distressed TID law that required a district to be at least 7 years old before being declared distressed or severely distressed.

Basford, Sarah

From: Grosz, Scott
Sent: Thursday, February 12, 2015 11:55 AM
To: LRB.Legal
Cc: Schmidt, Melissa; Mautz, Kelly
Subject: Draft Review: LRB -1064/2 Topic: Designation of a TID as distressed or severely distressed district

Please Jacket LRB -1064/2 for the SENATE.