

# State of Wisconsin



2017 Assembly Bill 205

Date of enactment: **December 8, 2017**

Date of publication\*: **December 9, 2017**

## 2017 WISCONSIN ACT 132

AN ACT *to renumber and amend* 16.84 (5); and *to create* 16.84 (5) (b) of the statutes; **relating to:** state leases for real property.

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

**SECTION 1.** 16.84 (5) of the statutes is renumbered 16.84 (5) (a) and amended to read:

16.84 (5) (a) Have responsibility, subject to approval of the governor, for all functions relating to the leasing, acquisition, allocation, and utilization of all real property by the state, except where such responsibility is otherwise provided by the statutes. In exercising this connection responsibility, the department shall may not enter into, extend, or renew a lease involving an annual rent of more than \$500,000 unless the secretary signs the lease, a copy of the proposed lease is submitted electronically to the chief clerk of each house for distribution, and the department notifies the joint committee on finance of the proposed lease and provides the committee with the information under par. (b) as well as a summary report of that information, including the terms of the lease and the lease rate per square foot of the proposed property and the comparable options. If the cochairpersons of the joint committee on finance do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed lease within 14 working days after the date of the notification, the lease may be entered into, extended, or renewed. If, within 14 working days after the date of the notification, the cochairpersons of the committee notify the secretary that the committee has

scheduled a meeting for the purpose of reviewing the proposed lease, the lease may be entered into, extended, or renewed only upon approval of the committee.

(c) When exercising the responsibility under par. (a), with the governor's approval, require physical consolidation of office space utilized by any executive branch agency, as defined in s. 16.70 (4), having fewer than 50 authorized full-time equivalent positions with office space utilized by another executive branch agency, whenever feasible. The department shall lease

(d) Lease or acquire office space for legislative offices or legislative service agencies at the direction of the joint committee on legislative organization. In this subsection, "executive branch agency" has the meaning given in s. 16.70 (4).

**SECTION 2.** 16.84 (5) (b) of the statutes is created to read:

16.84 (5) (b) Before entering into, extending, or renewing a lease, do all of the following:

1. Conduct a cost-benefit analysis comparing the lease with purchasing the space or another suitable space.
2. Evaluate comparable lease options within a 10-mile radius of the property proposed in the lease, or if there are not sufficient comparable properties within a 10-mile radius to perform a meaningful comparison, a wider radius as needed, to ensure the lease rate per square foot does not exceed the lease rate per square foot on

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

comparable properties or the market rate by more than 5 percent.

(1) This act first applies to leases entered into, renewed, or extended on the effective date of this subsection.

**SECTION 3. Initial applicability.**

---