

2017 DRAFTING REQUEST

Senate Amendment (SA-AB259)

For: Jennifer Shilling (608) 266-5490 Drafter: jkreye
By: danielle Secondary Drafters:
Date: 3/19/2018 May Contact:

Same as LRB:

Submit via email: YES
Requester's email: Sen.Shilling@legis.wisconsin.gov
Carbon copy (CC) to: joseph.kreye@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Dark stores

Instructions:

See attached

Drafting History:

Table with 6 columns: Vers., Drafted, Reviewed, Submitted, Jacketed, Required. Row 1: /?, jkreye, anienaja, 3/19/2018, 3/19/2018. Row 2: /1, lparisi, 3/19/2018, lparisi, 3/19/2018.

FE Sent For: <END>

## Kreye, Joseph

---

**From:** Pleviak, Krista  
**Sent:** Monday, March 19, 2018 8:55 AM  
**To:** Kreye, Joseph  
**Subject:** FW: Amendment request to AB 259

**Importance:** High

See below. The dark stores bill is yours. Do you want to draft the amendment? If you're busy or going to be in late, I can do it. Let me know.

### **Krista R. Pleviak**

Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 266 - 7290  
[krista.pleviak@legis.wisconsin.gov](mailto:krista.pleviak@legis.wisconsin.gov)

---

**From:** Williams, Danielle  
**Sent:** Sunday, March 18, 2018 9:57 AM  
**To:** Pleviak, Krista <[Krista.Pleviak@legis.wisconsin.gov](mailto:Krista.Pleviak@legis.wisconsin.gov)>  
**Cc:** Pennoyer, Kara <[Kara.Pennoyer@legis.wisconsin.gov](mailto:Kara.Pennoyer@legis.wisconsin.gov)>  
**Subject:** Amendment request to AB 259  
**Importance:** High

Please draft an amendment to AB 259 that includes the language and provisions of AB 386/SB 292 (Dark Stores).

Please contact me with any questions. Thank you for your assistance!

Danielle Williams  
Office of Sen. Shilling



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

**SENATE AMENDMENT,**

**TO ASSEMBLY BILL 259**

Today  
3-19

inserts

, as shown by Assembly  
Substitute Amendment Z,

At the locations indicated, amend the bill as follows:

1. Page 2, line 1: after "purposes;" insert "??".

2. Page 2, line 3: before that line insert:

3. Page 20, line 14: after that line insert:

"(4m) DARK STORES. The treatment of section 70.32 (1b) of the statutes first applies to the property tax assessments as of January 1, 2018."

(END)



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRBs0179/1  
JK:kjf&ahe

ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 386

SA✓

November 30, 2017 - Offered by Representative R. BROOKS.

Insert 2-1

1 AN ACT to create 70.32 (1b) of the statutes; relating to: property tax  
2 assessments based on comparable sales and market segments;

Insert 2-3

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

3 SECTION 16 70.32 (1b) of the statutes is created to read:

4 70.32 (1b) (a) To determine the value of property using generally accepted  
5 appraisal methods, the assessor shall consider all of the following as comparable to  
6 the property being assessed:

7 1. Sales or rentals of properties exhibiting the same or a similar highest and  
8 best use with placement in the same real estate market segment.

9 2. Sales or rentals of properties that are similar to the property being assessed  
10 with regard to age, condition, use, type of construction, location, design, physical  
11 features, and economic characteristics, including similarities in occupancy and the



*Insert*

1 the potential to generate rental income. For purposes of this subdivision, such  
2 properties may be found locally, regionally, or nationally.


3 (b) For purposes of par. (a), a property is not comparable if any of the following  
4 applies:

5 1. At or before the time of sale, the seller places any deed restriction on the  
6 property that changes the highest and best use of the property, or prohibits  
7 competition, so that it no longer qualifies as a comparable property under par. (a) 1.  
8 or 2. and the property being assessed lacks such a restriction.

9 2. The property is dark property and the property being assessed is not dark  
10 property. In this subdivision, "dark property" means property that is vacant or  
11 unoccupied beyond the normal period for property in the same real estate market  
12 segment. For purposes of this subdivision, what is considered vacant or unoccupied  
13 beyond the normal period may vary depending on the property location.

14 (c) For purposes of par. (a), "highest and best use" means the specific use of the  
15 property as of the current assessment date or a higher use for which the property may  
16 be used as of the current assessment date, if the property is marketable for that use  
17 and the use is legally permissible, physically possible, not highly speculative, and  
18 financially feasible and provides the highest net return. When the current use of a  
19 property is the highest and best use of that property, value in the current use equals  
20 full market value. In this paragraph, "legally permissible" does not include a  
21 conditional use that has not been granted as of the assessment date.

22 (d) For purposes of par. (a), "real estate market segment" means a pool of  
23 potential buyers and sellers that typically buy or sell properties similar to the  
24 property being assessed, including potential buyers who are investors or  
25 owner-occupants. For purposes of this paragraph, and depending on the type of



1 property being assessed, the pool of potential buyers and sellers may be found locally,  
2 regionally, nationally, or internationally. *end of direct 2-3*

3 **SECTION 2. Initial applicability.**

4 (1) This act first applies to the property tax assessments as of January 1, 2018.

5 (END)