

2021 ASSEMBLY BILL 68**HOUSING IMPACT NOTE**

SUMMARY: Assembly Bill 68 (“AB 68” or “the Bill”) constitutes the executive budget act of the 2021 legislature. The Bill makes several changes to existing law which may impact the provision of housing in Wisconsin.

The Bill makes several investments in existing grant, loan and tax credit programs as well as creates new grant or loan programs providing housing or shelter to low- and moderate-income households as well as youth across Wisconsin. The Bill also creates certain programs enabling households to create tax sheltered accounts to pay for qualified expenses, including housing.

The Bill creates flexibilities in hearing venue or location for alleged open housing violations brought by tenants. The Bill also makes changes regarding requirements of landlords to notify potential tenants of building code violations and prohibits a landlord from terminating tenancy on the basis of criminal activity. The Bill also eliminates existing prohibitions on political subdivisions from enacting ordinances related to landlords and tenants, thus allowing political subdivisions to regulate several aspects of a rental arrangement. The Bill eliminates the ability of political subdivisions to impose a moratorium on evictions against a tenant. The Bill prohibits discrimination on the basis of a person’s status as a holder or nonholder of a non-compliant REAL ID to obtain housing.

IMPACTS: The proposed changes under AB 68 impact the provision of housing in Wisconsin in the following ways:

- 1. Policies, strategies and recommendations of the state housing strategy plan.** AB 68 is consistent with the recommendations of the State’s Consolidated Plan. The Consolidated Plan calls for the expansion of safe, sanitary, affordable housing for low- and moderate-income homeowners and renters as well as improving the affordable rental housing and homebuyer opportunities for all households, especially those with severe cost burdens, those facing housing discrimination and those facing housing shortages. The Consolidated Plan also prioritizes increasing economic opportunity in Wisconsin’s communities, focusing on both workers and businesses. The additional resources provided under AB 68 combined with the additional protections provided to renters are consistent with the goals of the Consolidated Plan.
- 2. The cost of developing, constructing, rehabilitating, improving, maintaining or owning single family or multifamily dwellings.** It could be argued that increasing the financial assistance available to low- and moderate-income households in Wisconsin combined with the additional protections against housing discrimination as well as requirements of landlords may potentially increase the likelihood of additional low- and moderate-income households in Wisconsin being able to secure safe, sanitary and affordable housing. However, it could be also argued that providing these additional resources, protections and requirements may result in higher competition for affordable housing and a reduction in available supply due to these additional factors. The potential cost changes to the cost of developing, constructing, rehabilitating, improving, maintaining or owning single family or multifamily dwellings due to any changes to the new funding and requirements provided under AB 68 are indeterminate at this time.

3. **The purchase price of new homes or the fair market value of existing homes.** It could be argued that increasing the financial assistance available to low- and moderate-income households in Wisconsin combined with the additional protections against housing discrimination may potentially increase the likelihood of additional low- and moderate-income households in Wisconsin being able to secure safe, sanitary and affordable housing. However, it could be also argued that providing these additional resources and protections may result in higher competition for affordable housing and a reduction in available supply due to these additional factors. The potential cost changes to the purchase price of new homes or the fair market value of existing homes due to any changes to the new funding and requirements provided under AB 68 are indeterminate at this time.
4. **The cost and availability of financing to purchase or develop housing.** AB 68 directly increases the financial assistance available to low- and moderate-income households in Wisconsin to purchase housing and provides additional resources that could be leveraged to develop additional housing for low- and moderate-income households in Wisconsin. However, it could be also argued that providing these additional resources and protections may result in higher competition for existing affordable housing resulting in a reduction in available supply due to these additional factors.
5. **Housing costs as defined in s. 16.301 (3) (a) and (b).** Section 16.301 (3) (a), Wis. Stats., defines “housing costs” as any of the following:
 - a. The principal and interest on a mortgage loan that finances the purchase of the housing.
 - b. Closing costs and other costs associated with a mortgage loan.
 - c. Mortgage insurance.
 - d. Property insurance.
 - e. Utility-related costs.
 - f. Property taxes.
 - g. If the housing is owned and occupied by members of a cooperative or an unincorporated cooperative association, fees paid to a person for managing the housing.

Section 16.301 (3) (b), Wis. Stats., defines “rented housing” costs as any of the following:

- a. Rent.
- b. Utility-related costs, if not included in the rent.

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6. **The density, location, setback, size, or height of development on a lot, parcel, land division, or subdivision.** The provisions of AB 68 are unlikely to impact the density, location, setback, size or height of development on a lot, parcel, land division or subdivision.
7. **The relative impact of the effects of the bill on low- and moderate-income households.** The Bill makes several investments in existing grant, loan and tax credit programs and creates new grant or loan programs providing housing or shelter to low- and moderate-income households as well

as youth across Wisconsin. The Bill also creates certain programs enabling households to create tax sheltered accounts to pay for qualified expenses, including housing.

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Prepared by the Department of Administration

Landon T. Williams 608-267-9376

Susan Brown 608-267-0770