
Wisconsin Legislative Council

AMENDMENT MEMO



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2021 Assembly Bill 719

Assembly Amendments 1 and 2

2021 ASSEMBLY BILL 719

2021 Assembly Bill 719 makes a number of changes to the property assessed clean energy (PACE) program. Generally, this program allows political subdivisions to impose a special charge against real property for certain clean energy projects. The bill expands the types of projects eligible for PACE financing, changes the requirements for accessing that financing, and changes the timing of when a lien attaches to the property.

The bill also provides that the written consent required under the program is required from all holders of a mortgage in order to receive PACE financing.

Finally, under current law, an installment loan under the program becomes a lien on the benefitted property once the installment payment is delinquent. The bill changes the timing of when this lien attaches to when the loan or agreement is made and clarifies that the lien runs with the land.

ASSEMBLY AMENDMENT 1

Under Assembly Amendment 1, PACE financing is only available for residential properties containing at least five dwelling units or a nonresidential property.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 clarifies that the amounts due under the PACE loan or agreement may be collected as a special charge, that the lien attaches as of the date of the initial funding of the loan or the date of the agreement, and that written consent is only required from holders of a mortgage **of record**. The amendment also makes organizational and technical changes to the bill.

BILL HISTORY

Representatives Allen and Thiesfeldt offered Assembly Amendment 1 on January 7, 2022. Representative Thiesfeldt offered Assembly Amendment 2 on January 14, 2022. On January 18, 2022, the Assembly Committee on Local Government recommended adoption of both amendments and passage of the bill, as amended, on votes of Ayes, 8; Noes, 0.

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