



State of Wisconsin
2005 - 2006 LEGISLATURE

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**ASSEMBLY AMENDMENT 3,
TO 2005 ASSEMBLY BILL 1156**

April 27, 2006 – Offered by Representative SUDER.

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 1, line 7: delete “and imposing” and substitute “, imposing”.
- 3 **2.** Page 1, line 7: after “certain” insert “publication”.
- 4 **3.** Page 1, line 7: delete “on other fees imposed” and substitute “for the budget
5 summaries that are published”.
- 6 **4.** Page 1, line 8: after “subdivisions” insert “, and imposing certain
7 requirements on plat approval conditions”.
- 8 **5.** Page 2, line 1: before that line insert:
9 “**SECTION 1g.** 65.90 (3) (b) 3. of the statutes is created to read:
10 65.90 (3) (b) 3. Revenue and expenditure totals for each impact fee that is
11 imposed by a municipality.”.
- 12 **6.** Page 2, line 1: delete “**SECTION 1**” and substitute “**SECTION 1r**”.

1 **7.** Page 3, line 18: delete “parks, and playgrounds ~~and~~” and substitute “parks,
2 playgrounds, and”.

3 **8.** Page 3, line 19: delete “facilities” and substitute “land for athletic fields”.

4 **9.** Page 7, line 5: delete “AND REPORTING ON”.

5 **10.** Page 7, line 7: delete “, in accordance with”.

6 **11.** Page 7, line 8: delete “generally accepted accounting practices”.

7 **12.** Page 7, line 11: delete “(9).” and substitute “(a).”.

8 **13.** Page 7, line 12: delete lines 12 to 14.

9 **14.** Page 7, line 15: delete lines 15 to 24 and substitute:

10 “**SECTION 22m.** 66.0617 (9) (a) of the statutes, as affected by 2005 Wisconsin
11 Act 203, is amended to read:

12 66.0617 (9) (a) Subject to par. (b), an ordinance enacted under this section shall
13 specify that impact fees that are imposed and collected by a ~~political subdivision~~
14 municipality but are not used within 7 years after they are collected to pay the capital
15 costs for which they were imposed shall be refunded to the current owner of the
16 property with respect to which the impact fees were imposed, along with any interest
17 that has accumulated, in described in sub. (8). The ordinance shall specify, by type
18 of public facility, reasonable time periods within which impact fees must be spent or
19 refunded under this subsection, subject to the 7-year limit in this paragraph and the
20 extended time period specified in par. (b). In determining the length of the time
21 periods under the ordinance, a ~~political subdivision~~ municipality shall consider what
22 are appropriate planning and financing periods for the particular types of public
23 facilities for which the impact fees are imposed.”.

1 **15.** Page 8, line 1: delete lines 1 and 2.

2 **16.** Page 8, line 9: delete lines 9 to 16.

3 **17.** Page 8, line 16: after that line insert:

4 “**SECTION 25m.** 236.45 (6) of the statutes is created to read:

5 236.45 **(6)** REQUIREMENTS FOR APPROVAL CONDITIONS. (a) Notwithstanding subs.
6 (1) and (2) (a) (intro.), a municipality, town, or county may not, as a condition of
7 approval under this chapter, impose any fees or other charges to fund the acquisition
8 or improvement of land, infrastructure, or other real or personal property.

9 (b) Any land dedication, easement, or other public improvement required by a
10 municipality, town, or county as a condition of approval under this chapter must bear
11 a rational relationship to a need for the land dedication, easement, or other public
12 improvement resulting from the subdivision or other division of land.

13 **SECTION 26m. Initial applicability.**

14 (1) REQUIREMENTS FOR APPROVAL CONDITIONS. The treatment of section 236.45
15 (6) of the statutes first applies to a certified survey map, a preliminary plat, or, if no
16 preliminary plat was submitted, a final plat that is submitted for approval on the
17 effective date of this subsection.”.

18 **(END)**