



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 312
[2009 Senate Bill 412]

**Tax Incremental Financing Program
Administrative Procedures**

2009 Wisconsin Act 312 makes a number of changes to the laws relating to creation of tax incremental districts (TIDs). Under current law, municipalities may establish any number of TIDs. However, a new district may be created only if there is a finding that the equalized value of the proposed district plus the value increment of all existing districts does not exceed 12% of the total equalized value of property in the city or village. The changes in Act 312 affect the 12% limit, by doing the following:

- Allowing a municipality with TIDs that have been certified by DOR as exceeding the 12% limit to either remove parcels to bring the TID within the 12% limit or rescind its approval of the project plan resolution. If removing parcels, the municipality would be required to submit the new TID proposal to DOR within 30 days of the time the DOR first notified the municipality that the TID exceeded 12%.
- Amending the date in current law by which a municipality must submit, to DOR, its resolution recommending a TID, from December 31st to October 31st. The DOR would then be required to notify a municipality by December 31st if the TID exceeds the 12% limit.
- Requiring DOR to exclude any parcel of land in a newly created TID that is located in an existing TID, when determining if the 12% limit has been met.
- Clarifying that all joint review board meetings are advertised as open to the public by publication of a Class 1 notice, at least five days before the meeting.
- Authorizing DOR to not authorize a municipality's annual TID increment if it does not pay the annual \$150 fee for each active TID, if the fee is not paid by May 15th.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

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