



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 310
[2013 Senate Bill 513]

**Referenda to Exceed
County Levy Limits**

2013 Wisconsin Act 310 addresses the data a county must include when posing a referendum question to voters in 2014 about exceeding the county levy limit.

Background

A county may only increase its tax levy from one year to the next by a limited amount, unless it passes a referendum to exceed that amount. State law requires that certain information be included on the referendum ballot. This required information includes the levy limit that applies if no referendum is passed and the total amount the county may levy. The referendum ballot must also inform voters about the percentage increase being proposed and the total amount of the levy, including the proposed increase.

State law specifies the times at which a referendum to exceed the levy limit may be held. For an even-numbered year, the referendum must be held during one of the following regularly-scheduled elections: (a) Spring primary (2nd Tuesday in February); (b) Spring Election (1st Tuesday in April); (c) Partisan primary (2nd Tuesday in August); or (d) General Election (Tuesday after the 1st Monday in November).

Though state law allows a county to hold a referendum to exceed the levy limit prior to August 15th, certain information that must be included on a referendum ballot is not available prior to this date. A county does not receive its equalized values from the Department of Revenue (DOR) until August 15th, so it cannot know the amount of any allowable increase in the levy limit over the prior year.

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.wisconsin.gov>.

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Act 310

Act 310 allows certain counties to use the most recent data available when composing its referendum question for the Partisan primary in 2014. Specifically, the Act states that a county with a population of at least 30,000, but no more than 40,000, that is adjacent to a county with a population exceeding 450,000 (currently, only Green County), shall use the most recent data it has and the most recent data that is available from DOR in preparing its ballot question for a levy increase referendum held at a Partisan primary in 2014. The change will allow Green County to hold a referendum in August 2014, rather than requiring the county to wait until the November general election.

Effective date: April 18, 2014

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