



## 2025 ASSEMBLY BILL 185

April 15, 2025 - Introduced by Representatives KITCHENS, NOVAK, DUCHOW, MELOTIK, KREIBICH, BROWN, BILLINGS, TRANEL, MURSAU, O'CONNOR, RIVERA-WAGNER, JOHNSON and SHEEHAN, cosponsored by Senators JACQUE and SPREITZER. Referred to Committee on Ways and Means.

- 1     **AN ACT** *to repeal* 70.11 (29p); *to renumber* 70.11 (29m); *to create* 70.11 (29m)
- 2           (b) of the statutes; **relating to:** property tax exemption for nonprofit theaters.

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### *Analysis by the Legislative Reference Bureau*

Current law provides a property tax exemption for property owned or leased by a nonprofit organization that includes one or more outdoor theaters for performing theater arts which have a total seating capacity of not less than 400 persons. In addition, in order to claim the exemption, the Internal Revenue Service must have confirmed the organization's federal tax exempt status in a determination letter issued no later than July 31, 1969.

This bill modifies the exemption so that it applies to property owned or leased by a nonprofit organization that includes one or more theaters for performing theater arts, regardless of whether the theaters are outdoors or indoors. In addition, in order to claim the exemption, the total capacity of the theaters must be not less than 240 persons and the IRS must have confirmed the organization's federal tax exempt status in a determination letter issued no later than October 1, 1990.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

For further information see the local fiscal estimate, which will be printed as an appendix to this bill.

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**ASSEMBLY BILL 185****SECTION 1**

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1.** 70.11 (29m) of the statutes is renumbered 70.11 (29m) (a).

**SECTION 2.** 70.11 (29m) (b) of the statutes is created to read:

70.11 (**29m**) (b) All the property owned or leased by an organization that is exempt from taxation under section 501 (c) (3) of the Internal Revenue Code, as confirmed by a determination letter issued by the Internal Revenue Service no later than October 1, 1990, if all of the property is used for the purposes for which the exemption was granted, the property includes one or more theaters for performing theater arts which have a total seating capacity of not less than 240 persons, and the organization operates the theater or theaters.

**SECTION 3.** 70.11 (29p) of the statutes is repealed.

**SECTION 4. Initial applicability.**

(1) This act first applies to property tax assessments as of January 1, 2025.

**(END)**