



State of Wisconsin
2021 - 2022 LEGISLATURE

LRBs0051/1
JK:cdc

**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 189**

June 21, 2021 - Offered by Senator STROEBEL.

1 **AN ACT** *to repeal* 60.85 (1) (f), 66.1105 (2) (d), 70.043 (2), 70.13 (3), 70.13 (7),
2 70.18, 70.19, 70.20, 70.21, 70.22, 70.29, 70.30, 70.34, 70.345, 70.35, 70.36, 70.47
3 (15), 70.65 (2) (a) 2., 70.68, 74.11 (4), 74.11 (11) (b), 74.11 (12) (a) 1g., 74.11 (12)
4 (d), 74.12 (6), 74.12 (11) (a) 1g., 74.12 (11) (d), 74.30 (1) (i), 74.42, 74.47 (3) (e),
5 74.55 and 76.69; *to renumber* 70.043 (1) and 74.11 (11) (a); *to consolidate,*
6 *renumber and amend* 70.65 (2) (a) (intro.) and 1.; *to amend* 17.14 (1) (g),
7 26.03 (1m) (b) (intro.), 33.01 (9) (a), 33.01 (9) (am), 33.01 (9) (ar) 1., 33.01 (9) (b)
8 1., 60.85 (1) (h) 1. c., 60.85 (1) (o), 66.1105 (2) (f) 1. c., 66.1106 (1) (k), 70.02, 70.05
9 (5) (a) 1., 70.17 (1), 70.174, 70.44 (1), 70.49 (2), 70.52, 70.65 (2) (b) (intro.), 70.73
10 (1) (b), 70.73 (1) (c), 70.73 (1) (d), 70.84, 70.855 (1) (intro.), 70.855 (1) (a), 70.855
11 (1) (b), 70.995 (1) (a), 70.995 (1) (b), 70.995 (4), 70.995 (7) (b), 70.995 (8) (b) 1.,
12 70.995 (12) (a), 71.17 (2), 74.05 (1), 74.09 (2), 74.11 (6) (a), 74.11 (10) (a) 1., 74.11
13 (12) (a) (intro.), 74.11 (12) (b), 74.12 (7) (a), 74.12 (8) (a), 74.12 (9) (a), 74.12 (10)

1 (a), 74.12 (11) (a) (intro.), 74.12 (11) (b), 74.29 (2), 74.30 (1m), 74.83, 74.87 (3),
2 77.84 (1), 174.065 (3), 815.18 (3) (intro.) and 978.05 (6) (a); and **to create**
3 66.1105 (5) (j), 70.111 (28) and 70.17 (3) of the statutes; **relating to:** eliminating
4 the personal property tax.

Analysis by the Legislative Reference Bureau

Under current law, beginning with the property tax assessments as of January 1, 2018, machinery, tools, and patterns, not including those items used in manufacturing, are exempt from the personal property tax. However, beginning in 2019, the state pays each taxing jurisdiction an amount equal to the property taxes levied on those items of personal property for the property tax assessments as of January 1, 2017.

Under the bill, beginning with the property tax assessments as of January 1, 2022, no items of personal property will be subject to the property tax.

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

5 **SECTION 1.** 17.14 (1) (g) of the statutes is amended to read:

6 17.14 (1) (g) Failure to use the “Wisconsin Property Assessment Manual”
7 provided under s. 73.03 (2a) and as required by s. 70.32 (1) and ~~70.34~~. The
8 certification of any assessor removed under this paragraph may for sufficient reason
9 be reinstated by the secretary of revenue after one year upon formal application for
10 reinstatement.

11 **SECTION 2.** 26.03 (1m) (b) (intro.) of the statutes is amended to read:

12 26.03 (1m) (b) (intro.) Paragraph (a) 1. does not apply to a person harvesting
13 raw forest products on public lands, as defined in s. 70.13 (7), 2019 stats., to a person
14 harvesting raw forest products for fuel wood for his or her home consumption, to a
15 person harvesting for the purpose of clearing the land for agricultural use or to a
16 person harvesting from the person’s own land, any of the following:

1 **SECTION 3.** 33.01 (9) (a) of the statutes is amended to read:

2 33.01 (9) (a) For the purpose of receiving notice under this chapter, a person
3 whose name appears as an owner of real property on the tax roll under s. 70.65 (2)
4 (a) ~~1.~~ that was delivered under s. 74.03 on or before the 3rd Monday in December of
5 the previous year.

6 **SECTION 4.** 33.01 (9) (am) of the statutes is amended to read:

7 33.01 (9) (am) For the purpose of petitioning under this chapter, any of the
8 following:

9 1. A person whose name appears as an owner of real property on the tax roll
10 under s. 70.65 (2) (a) ~~1.~~ that was delivered under s. 74.03 on or before the 3rd Monday
11 in December of the previous year.

12 2. The spouse of a person whose name appears as an owner of real property on
13 the tax roll under s. 70.65 (2) (a) ~~1.~~ that was delivered under s. 74.03 on or before the
14 3rd Monday in December of the previous year if the spouse is referred to on that tax
15 roll.

16 **SECTION 5.** 33.01 (9) (ar) 1. of the statutes is amended to read:

17 33.01 (9) (ar) 1. The person's name appears as an owner of real property on the
18 tax roll under s. 70.65 (2) (a) ~~1.~~ that was delivered under s. 74.03 on or before the 3rd
19 Monday in December of the previous year.

20 **SECTION 6.** 33.01 (9) (b) 1. of the statutes is amended to read:

21 33.01 (9) (b) 1. Whose name appears as an owner of real property on the tax
22 roll under s. 70.65 (2) (a) ~~1.~~ that was delivered under s. 74.03 on or before the 3rd
23 Monday in December of the previous year; or

24 **SECTION 7.** 60.85 (1) (f) of the statutes is repealed.

25 **SECTION 8.** 60.85 (1) (h) 1. c. of the statutes is amended to read:

1 60.85 (1) (h) 1. c. Real property assembly costs, meaning any deficit incurred
2 resulting from the sale or lease as lessor by the town of real ~~or personal~~ property
3 within a tax incremental district for consideration which is less than its cost to the
4 town.

5 **SECTION 9.** 60.85 (1) (o) of the statutes is amended to read:

6 60.85 (1) (o) “Taxable property” means all real ~~and personal~~ taxable property
7 located in a tax incremental district.

8 **SECTION 10.** 66.1105 (2) (d) of the statutes is repealed.

9 **SECTION 11.** 66.1105 (2) (f) 1. c. of the statutes is amended to read:

10 66.1105 (2) (f) 1. c. Real property assembly costs, meaning any deficit incurred
11 resulting from the sale or lease as lessor by the city of real ~~or personal~~ property within
12 a tax incremental district for consideration which is less than its cost to the city.

13 **SECTION 12.** 66.1105 (5) (j) of the statutes is created to read:

14 66.1105 (5) (j) Upon receiving a written application from the city clerk, in a
15 form prescribed by the department of revenue, the department shall recalculate the
16 base value of a tax incremental district affected by 2021 Wisconsin Act (this act)
17 to remove the value of the personal property. A request received under this
18 paragraph no later October 31 is effective in the year following the year in which the
19 request is made. A request received after October 31 is effective in the 2nd year
20 following the year in which the request is made.

21 **SECTION 13.** 66.1106 (1) (k) of the statutes is amended to read:

22 66.1106 (1) (k) “Taxable property” means all real ~~and personal~~ taxable property
23 located in an environmental remediation tax incremental district.

24 **SECTION 14.** 70.02 of the statutes is amended to read:

1 **70.02 Definition of general property.** General property is all the taxable
2 real and personal property defined in ss. 70.03 and 70.04 except that which is taxed
3 under ss. 70.37 to 70.395 and ch. 76 and subchs. I and VI of ch. 77. General property
4 includes manufacturing property subject to s. 70.995, but assessment of that
5 property shall be made according to s. 70.995.

6 **SECTION 15.** 70.043 (1) of the statutes is renumbered 70.043.

7 **SECTION 16.** 70.043 (2) of the statutes is repealed.

8 **SECTION 17.** 70.05 (5) (a) 1. of the statutes is amended to read:

9 70.05 (5) (a) 1. "Assessed value" means with respect to each taxation district
10 the total values established under ~~ss. s. 70.32 and 70.34~~, but excluding
11 manufacturing property subject to assessment under s. 70.995.

12 **SECTION 18.** 70.111 (28) of the statutes is created to read:

13 70.111 (28) BUSINESS AND MANUFACTURING PERSONAL PROPERTY. (a) Beginning
14 with the property tax assessments as of January 1, 2022, all business and
15 manufacturing personal property.

16 (b) A taxing jurisdiction may include the most recent valuation of personal
17 property described under par. (a) that is located in the taxing jurisdiction for
18 purposes of complying with debt limitations applicable to the jurisdiction.

19 **SECTION 19.** 70.13 (3) of the statutes is repealed.

20 **SECTION 20.** 70.13 (7) of the statutes is repealed.

21 **SECTION 21.** 70.17 (1) of the statutes is amended to read:

22 70.17 (1) Real property shall be entered in the name of the owner, if known to
23 the assessor, otherwise to the occupant thereof if ascertainable, and otherwise
24 without any name. The person holding the contract or certificate of sale of any real
25 property contracted to be sold by the state, but not conveyed, shall be deemed the

1 owner for such purpose. The undivided real estate of any deceased person may be
2 entered to the heirs of such person without designating them by name. The real
3 estate of an incorporated company shall be entered in the same manner as that of an
4 individual. Improvements Except as provided in sub. (3), buildings, improvements,
5 and fixtures on leased lands may be assessed either as real property or personal
6 property.

7 **SECTION 22.** 70.17 (3) of the statutes is created to read:

8 70.17 (3) Beginning with the property tax assessments as of January 1, 2022,
9 manufactured and mobile homes, not otherwise exempt from taxation under s.
10 66.0435 (3), buildings, improvements, and fixtures on leased lands, buildings,
11 improvements, and fixtures on exempt lands, buildings, improvements, and fixtures
12 on forest croplands, and buildings, improvements, and fixtures on managed forest
13 lands shall be assessed as real property. If buildings, improvements, and fixtures,
14 but not the underlying land, are leased to a person other than the landowner or if the
15 buildings, improvements, and fixtures are owned by a person other than the
16 landowner, the assessor may create a separate tax parcel for the buildings,
17 improvements, and fixtures and assess the buildings, improvements, and fixtures as
18 real property to the lessee or owner of the buildings, improvements, and fixtures.
19 The assessor may also create a tax parcel for buildings, improvements, and fixtures
20 on exempt lands, buildings, improvements, and fixtures on forest croplands, and
21 buildings, improvements, and fixtures on managed forest lands and assess the
22 buildings, improvements, and fixtures as real property to the lessee or owner of the
23 buildings, improvements, and fixtures.

24 **SECTION 23.** 70.174 of the statutes is amended to read:

1 **70.174 Improvements on government-owned land.** Improvements made
2 by any person on land within this state owned by the United States may shall be
3 assessed either as real ~~or personal~~ property to the person making the same, if
4 ascertainable, and otherwise to the occupant thereof or the person receiving benefits
5 therefrom.

6 **SECTION 24.** 70.18 of the statutes is repealed.

7 **SECTION 25.** 70.19 of the statutes is repealed.

8 **SECTION 26.** 70.20 of the statutes is repealed.

9 **SECTION 27.** 70.21 of the statutes is repealed.

10 **SECTION 28.** 70.22 of the statutes is repealed.

11 **SECTION 29.** 70.29 of the statutes is repealed.

12 **SECTION 30.** 70.30 of the statutes is repealed.

13 **SECTION 31.** 70.34 of the statutes is repealed.

14 **SECTION 32.** 70.345 of the statutes is repealed.

15 **SECTION 33.** 70.35 of the statutes is repealed.

16 **SECTION 34.** 70.36 of the statutes is repealed.

17 **SECTION 35.** 70.44 (1) of the statutes is amended to read:

18 70.44 (1) Real ~~or personal~~ property omitted from assessment in any of the 2
19 next previous years, unless previously reassessed for the same year or years, shall
20 be entered once additionally for each previous year of such omission, designating
21 each such additional entry as omitted for the year of omission and affixing a just
22 valuation to each entry for a former year as the same should then have been assessed
23 according to the assessor's best judgment, and taxes shall be apportioned, using the
24 net tax rate as provided in s. 70.43, and collected on the tax roll for such entry. This

1 section shall not apply to manufacturing property assessed by the department of
2 revenue under s. 70.995.

3 **SECTION 36.** 70.47 (15) of the statutes is repealed.

4 **SECTION 37.** 70.49 (2) of the statutes is amended to read:

5 70.49 (2) The value of all real ~~and personal~~ property entered into the
6 assessment roll to which such affidavit is attached by the assessor shall, in all actions
7 and proceedings involving such values, be presumptive evidence that all such
8 properties have been justly and equitably assessed in proper relationship to each
9 other.

10 **SECTION 38.** 70.52 of the statutes is amended to read:

11 **70.52 Clerks to examine and correct rolls.** Each city, village, and town
12 clerk upon receipt of the assessment roll shall carefully examine the roll. The clerk
13 shall correct all double assessments, imperfect descriptions, and other errors
14 apparent on the roll, and correct the value of parcels of real property not liable to
15 taxation. The clerk shall add to the roll any parcel of real property not listed on the
16 assessment roll ~~or item of personal property omitted from the roll~~ and immediately
17 notify the assessors of the additions ~~and omissions.~~ ~~The assessors shall immediately~~
18 ~~view and value the omitted property and certify the valuation to the clerk.~~ The clerk
19 shall enter the valuation and property classification on the roll, and the valuation
20 shall be final. To enable the clerk to properly correct defective descriptions, the clerk
21 may request aid, when necessary, from the county surveyor, whose fees for the
22 services rendered shall be paid by the city, village, or town.

23 **SECTION 39.** 70.65 (2) (a) (intro.) and 1. of the statutes are consolidated,
24 renumbered 70.65 (2) (a) and amended to read:

25 70.65 (2) (a) As shown on the assessment roll:

1 ~~1. Identify, identify~~ all the real property within the taxation district and, with
2 respect to each description of real property, the name and address of the owner and
3 the assessed value.

4 **SECTION 40.** 70.65 (2) (a) 2. of the statutes is repealed.

5 **SECTION 41.** 70.65 (2) (b) (intro.) of the statutes is amended to read:

6 70.65 (2) (b) (intro.) With respect to each description of real property ~~and each~~
7 ~~owner of taxable personal property:~~

8 **SECTION 42.** 70.68 of the statutes is repealed.

9 **SECTION 43.** 70.73 (1) (b) of the statutes is amended to read:

10 70.73 (1) (b) If a town, village or city clerk or treasurer discovers that ~~personal~~
11 ~~property has been assessed to the wrong person, or~~ 2 or more parcels of land
12 belonging to different persons have been erroneously assessed together on the tax
13 roll, the clerk or treasurer shall notify the assessor and all parties interested, if the
14 parties are residents of the county, by notice in writing to appear at the clerk's office
15 at some time, not less than 5 days thereafter, to correct the assessment roll.

16 **SECTION 44.** 70.73 (1) (c) of the statutes is amended to read:

17 70.73 (1) (c) At the time and place designated in the notice given under par. (b),
18 the assessment roll shall be corrected by entering the correct names of the persons
19 liable to assessment, ~~both as to real and personal property,~~ describing each parcel of
20 land and giving the proper valuation to each parcel separately owned. The total
21 valuation given to the separate tracts of real estate shall be equal to the valuation
22 given to the same property when the several parcels were assessed together.

23 **SECTION 45.** 70.73 (1) (d) of the statutes is amended to read:

24 70.73 (1) (d) The valuation of parcels of land ~~or correction of names of persons~~
25 ~~whose personal property is assessed under this subsection~~ may be made at any time

1 before the tax roll is returned to the county treasurer for the year in which the tax
2 is levied. The valuation ~~or correction of names~~, when made under this subsection,
3 shall be held just and correct and be final and conclusive.

4 **SECTION 46.** 70.84 of the statutes is amended to read:

5 **70.84 Inequalities may be corrected in subsequent year.** If any such
6 reassessment cannot be completed in time to take the place of the original
7 assessment made in such district for said year, the clerk of the district shall levy and
8 apportion the taxes for that year upon the basis of the original assessment roll, and
9 when the reassessment is completed the inequalities in the taxes levied under the
10 original assessment shall be remedied and compensated in the levy and
11 apportionment of taxes in such district next following the completion of said
12 reassessment in the following manner: Each tract of real estate, ~~and, as to personal~~
13 ~~property, each taxpayer, whose tax shall be determined by such reassessment to have~~
14 ~~been relatively too high~~, shall be credited a sum equal to the amount of taxes charged
15 on the original assessment in excess of the amount which would have been charged
16 had such reassessment been made in time; and each tract of real estate, ~~and, as to~~
17 ~~personal property, each taxpayer, whose tax shall be determined by such~~
18 ~~reassessment to have been relatively too low~~, shall be charged, in addition to all other
19 taxes, a sum equal to the difference between the amount of taxes charged upon such
20 unequal original assessment and the amount which would have been charged had
21 such reassessment been made in time. The department of revenue, or its authorized
22 agent, shall at any time have access to all assessment and tax rolls herein referred
23 to for the purpose of assisting the local clerk and in order that the results of the
24 reassessment may be carried into effect.

25 **SECTION 47.** 70.855 (1) (intro.) of the statutes is amended to read:

1 70.855 (1) APPLICABILITY. (intro.) The department of revenue shall assess real
2 and personal property assessed as commercial property under s. 70.32 (2) (a) 2. if all
3 of the following apply:

4 **SECTION 48.** 70.855 (1) (a) of the statutes is amended to read:

5 70.855 (1) (a) The property owner and the governing body of the municipality
6 where the property is located submit a written request to the department on or before
7 March 1 of the year of the assessment to have the department assess the property
8 owner's real and personal commercial property located in the municipality.

9 **SECTION 49.** 70.855 (1) (b) of the statutes is amended to read:

10 70.855 (1) (b) The written request submitted under par. (a) specifies the items
11 of personal property and parcels of real property for the department's assessment.

12 **SECTION 50.** 70.995 (1) (a) of the statutes is amended to read:

13 70.995 (1) (a) In this section "manufacturing property" includes all lands,
14 buildings, structures and other real property used in manufacturing, assembling,
15 processing, fabricating, making, or milling tangible personal property for profit.
16 Manufacturing property also includes warehouses, storage facilities, and office
17 structures when the predominant use of the warehouses, storage facilities, or offices
18 is in support of the manufacturing property, and all personal property owned or used
19 by any person engaged in this state in any of the activities mentioned, and used in
20 the activity, including raw materials, supplies, machinery, equipment, work in
21 process and finished inventory when located at the site of the activity.
22 Establishments engaged in assembling component parts of manufactured products
23 are considered manufacturing establishments if the new product is neither a
24 structure nor other fixed improvement. Materials processed by a manufacturing
25 establishment include products of agriculture, forestry, fishing, mining, and

1 quarrying. For the purposes of this section, establishments which engage in mining
2 metalliferous minerals are considered manufacturing establishments.

3 **SECTION 51.** 70.995 (1) (b) of the statutes is amended to read:

4 70.995 (1) (b) ~~Materials used by a manufacturing establishment may be~~
5 ~~purchased directly from producers, obtained through customary trade channels or~~
6 ~~secured without recourse to the market by transfer from one establishment to~~
7 ~~another under the same ownership.~~ Manufacturing production is usually carried on
8 for the wholesale market, for interplant transfer or to order for industrial users
9 rather than for direct sale to a domestic consumer.

10 **SECTION 52.** 70.995 (4) of the statutes is amended to read:

11 70.995 (4) ~~Whenever real property or tangible personal property is used for~~
12 ~~one, or some combination, of the processes mentioned in sub. (3) and also for other~~
13 ~~purposes, the department of revenue, if satisfied that there is substantial use in one~~
14 ~~or some combination of such processes, may assess the property under this section.~~
15 For all purposes of this section the department of revenue shall have sole discretion
16 for the determination of what is substantial use and what description of real property
17 ~~or what unit of tangible personal property shall constitute “the property” to be~~
18 ~~included for assessment purposes, and, in connection herewith, the department may~~
19 ~~include in a real property unit, real property owned by different persons. Vacant~~
20 ~~property designed for use in manufacturing, assembling, processing, fabricating,~~
21 ~~making, or milling tangible property for profit may be assessed under this section or~~
22 ~~under s. 70.32 (1), and the period of vacancy may not be the sole ground for making~~
23 ~~that determination. In those specific instances where a portion of a description of~~
24 ~~real property includes manufacturing property rented or leased and operated by a~~
25 ~~separate person which does not satisfy the substantial use qualification for the entire~~

1 property, the local assessor shall assess the entire real property description and all
2 ~~personal property not exempt under s. 70.11 (27)~~. The applicable portions of the
3 standard manufacturing property report form under sub. (12) as they relate to
4 manufacturing machinery and equipment shall be submitted by such person.

5 **SECTION 53.** 70.995 (7) (b) of the statutes is amended to read:

6 70.995 (7) (b) Each 5 years, or more frequently if the department of revenue's
7 workload permits and if in the department's judgment it is desirable, the department
8 of revenue shall complete a field investigation or on-site appraisal at full value under
9 ~~ss. s. 70.32 (1) and 70.34~~ of all manufacturing property in this state.

10 **SECTION 54.** 70.995 (8) (b) 1. of the statutes is amended to read:

11 70.995 (8) (b) 1. The department of revenue shall annually notify each
12 manufacturer assessed under this section and the municipality in which the
13 manufacturing property is located of the full value of all real ~~and personal~~ property
14 owned by the manufacturer. The notice shall be in writing and shall be sent by 1st
15 class mail or electronic mail. In addition, the notice shall specify that objections to
16 valuation, amount, or taxability must be filed with the state board of assessors no
17 later than 60 days after the date of the notice of assessment, that objections to a
18 change from assessment under this section to assessment under s. 70.32 (1) must be
19 filed no later than 60 days after the date of the notice, that the fee under par. (c) 1.
20 or (d) must be paid and that the objection is not filed until the fee is paid. For
21 purposes of this subdivision, an objection is considered timely filed if received by the
22 state board of assessors no later than 60 days after the date of the notice or sent to
23 the state board of assessors by certified mail in a properly addressed envelope, with
24 postage paid, that is postmarked before midnight of the last day for filing. A
25 statement shall be attached to the assessment roll indicating that the notices

1 required by this section have been mailed and failure to receive the notice does not
2 affect the validity of the assessments, the resulting tax on real ~~or personal~~ property,
3 the procedures of the tax appeals commission or of the state board of assessors, or
4 the enforcement of delinquent taxes by statutory means.

5 **SECTION 55.** 70.995 (12) (a) of the statutes is amended to read:

6 70.995 (12) (a) The department of revenue shall prescribe a standard
7 manufacturing property report form that shall be submitted annually for each real
8 estate parcel ~~and each personal property account~~ on or before March 1 by all
9 manufacturers whose property is assessed under this section. The report form shall
10 contain all information considered necessary by the department and shall include,
11 without limitation, income and operating statements, fixed asset schedules, and a
12 report of new construction or demolition. Failure to submit the report shall result
13 in denial of any right of redetermination by the state board of assessors or the tax
14 appeals commission. If any property is omitted or understated in the assessment roll
15 in any of the next 5 previous years, the assessor shall enter the value of the omitted
16 or understated property once for each previous year of the omission or
17 understatement. The assessor shall affix a just valuation to each entry for a former
18 year as it should have been assessed according to the assessor's best judgment. Taxes
19 shall be apportioned and collected on the tax roll for each entry, on the basis of the
20 net tax rate for the year of the omission, taking into account credits under s. 79.10.
21 In the case of omitted property, interest shall be added at the rate of 0.0267 percent
22 per day for the period of time between the date when the form is required to be
23 submitted and the date when the assessor affixes the just valuation. In the case of
24 underpayments determined after an objection under s. 70.995 (8) (d), interest shall
25 be added at the average annual discount interest rate determined by the last auction

1 of 6-month U.S. treasury bills before the objection per day for the period of time
2 between the date when the tax was due and the date when it is paid.

3 **SECTION 56.** 71.17 (2) of the statutes is amended to read:

4 71.17 (2) LIEN ON TRUST ESTATE; INCOME TAXES LEVIED AGAINST BENEFICIARY. All
5 income taxes levied against the income of beneficiaries shall be a lien on that portion
6 of the trust estate or interest therein from which the income taxed is derived, and
7 such taxes shall be paid by the fiduciary, if not paid by the distributee, before the
8 same become delinquent. Every person who, as a fiduciary under the provisions of
9 this subchapter, pays an income tax shall have all the rights and remedies of
10 reimbursement for any taxes assessed against him or her or paid by him or her in
11 such capacity, as provided in s. 70.19 (1) and (2), 2019 stats.

12 **SECTION 57.** 74.05 (1) of the statutes is amended to read:

13 74.05 (1) DEFINITION. In this section, “error in the tax roll” means an error in
14 the description of any real ~~or personal~~ property, in the identification of the owner or
15 person to whom the property is assessed or in the amount of the tax or an error
16 resulting from a palpably erroneous entry in the assessment roll.

17 **SECTION 58.** 74.09 (2) of the statutes is amended to read:

18 74.09 (2) PREPARATION. The clerk of the taxation district shall prepare the real
19 ~~and personal~~ property tax bills. The form of the property tax bill shall be prescribed
20 by the department of revenue and shall be uniform.

21 **SECTION 59.** 74.11 (4) of the statutes is repealed.

22 **SECTION 60.** 74.11 (6) (a) of the statutes is amended to read:

23 74.11 (6) (a) Payments made on or before January 31 ~~and payments of taxes~~
24 ~~on improvements on leased land that are assessed as personal property~~ shall be
25 made to the taxation district treasurer.

1 **SECTION 61.** 74.11 (10) (a) 1. of the statutes is amended to read:

2 74.11 (10) (a) 1. If all special assessments, special charges, and special taxes
3 ~~and personal property taxes~~ due under sub. (3) ~~or (4)~~ are not paid in full and received
4 by the proper official on or before 5 working days after the due date, the amounts
5 unpaid are delinquent as of the day after the due date of the first installment or of
6 the lump-sum payment.

7 **SECTION 62.** 74.11 (11) (a) of the statutes is renumbered 74.11 (11).

8 **SECTION 63.** 74.11 (11) (b) of the statutes is repealed.

9 **SECTION 64.** 74.11 (12) (a) (intro.) of the statutes is amended to read:

10 74.11 (12) (a) (intro.) Except as provided in ~~pars. par.~~ par. (c) ~~and (d)~~, if a taxation
11 district treasurer or county treasurer receives a payment from a taxpayer which is
12 not sufficient to pay all amounts due, the treasurer shall apply the payment to the
13 amounts due, including interest and penalties, in the following order:

14 **SECTION 65.** 74.11 (12) (a) 1g. of the statutes is repealed.

15 **SECTION 66.** 74.11 (12) (b) of the statutes is amended to read:

16 74.11 (12) (b) The allocation under par. (a) ~~1g.~~ 1m. to 4. is conclusive for
17 purposes of settlement under ss. 74.23 to 74.29 and for determining delinquencies
18 under this section.

19 **SECTION 67.** 74.11 (12) (d) of the statutes is repealed.

20 **SECTION 68.** 74.12 (6) of the statutes is repealed.

21 **SECTION 69.** 74.12 (7) (a) of the statutes is amended to read:

22 74.12 (7) (a) If the first installment of real property taxes, ~~personal property~~
23 ~~taxes on improvements on leased land~~ or special assessments to which an
24 installment option pertains is not received by the proper official on or before 5
25 working days after the due date of January 31, the entire amount of the remaining

1 unpaid taxes or special assessments to which an installment option pertains on that
2 parcel is delinquent as of February 1.

3 **SECTION 70.** 74.12 (8) (a) of the statutes is amended to read:

4 74.12 (8) (a) If the 2nd or any subsequent installment payment of real property
5 taxes, ~~personal property taxes on improvements on leased land~~ or special
6 assessments to which an installment option pertains is not received by the proper
7 official on or before 5 working days after the due date specified in the ordinance, the
8 entire amount of the remaining unpaid taxes or special assessments to which an
9 installment option pertains on that parcel is delinquent as of the first day of the
10 month after the payment is due and interest and penalties are due under sub. (10).

11 **SECTION 71.** 74.12 (9) (a) of the statutes is amended to read:

12 74.12 (9) (a) If all special assessments to which an installment option does not
13 pertain, special charges, and special taxes ~~and personal property taxes~~ that are due
14 under sub. (5) ~~or (6)~~ are not paid in full and received by the proper official on or before
15 5 working days after the due date of January 31, the amounts unpaid are delinquent
16 as of February 1.

17 **SECTION 72.** 74.12 (10) (a) of the statutes is amended to read:

18 74.12 (10) (a) All real property taxes, special assessments, special charges and
19 special taxes that become delinquent and are paid on or before July 31, ~~and all~~
20 ~~delinquent personal property taxes, whenever paid,~~ shall be paid, together with
21 interest and penalties charged from the preceding February 1, to the taxation district
22 treasurer.

23 **SECTION 73.** 74.12 (11) (a) (intro.) of the statutes is amended to read:

24 74.12 (11) (a) (intro.) Except as provided in ~~pars. par.~~ (c) ~~and (d)~~, if a taxation
25 district treasurer or county treasurer receives a payment from a taxpayer which is

1 not sufficient to pay all amounts due, the treasurer shall apply the payment to the
2 amounts due, including interest and penalties, in the following order:

3 **SECTION 74.** 74.12 (11) (a) 1g. of the statutes is repealed.

4 **SECTION 75.** 74.12 (11) (b) of the statutes is amended to read:

5 74.12 **(11)** (b) The allocation under par. (a) ~~1g.~~ 1m. to 4. is conclusive for
6 purposes of settlement under ss. 74.29 and 74.30 and for determining delinquencies
7 under this section.

8 **SECTION 76.** 74.12 (11) (d) of the statutes is repealed.

9 **SECTION 77.** 74.29 (2) of the statutes is amended to read:

10 74.29 **(2)** On or before August 20, a taxation district treasurer who has not paid
11 in full all taxes on improvements on leased land ~~under s. 74.25 (1) (b) 1. or under s.~~
12 74.30 (1) or (2) shall pay in full to each taxing jurisdiction within the district all taxes
13 on improvements on leased land included in the tax roll which have not previously
14 been paid to, or retained by, the taxing jurisdiction, except that the treasurer shall
15 pay the state's proportionate share to the county. As part of that distribution, the
16 taxation district treasurer shall allocate to each tax incremental district within the
17 taxation district its proportionate share of taxes on improvements on leased land.

18 **SECTION 78.** 74.30 (1) (i) of the statutes is repealed.

19 **SECTION 79.** 74.30 (1m) of the statutes is amended to read:

20 74.30 **(1m)** MARCH SETTLEMENT BETWEEN COUNTIES AND THE STATE. On or before
21 March 15, the county treasurer shall send to the secretary of administration the
22 state's proportionate shares of taxes under sub. (1) ~~(i) and (j)~~.

23 **SECTION 80.** 74.42 of the statutes is repealed.

24 **SECTION 81.** 74.47 (3) (e) of the statutes is repealed.

25 **SECTION 82.** 74.55 of the statutes is repealed.

1 **SECTION 83.** 74.83 of the statutes is amended to read:

2 **74.83 Agreements.** Any 1st class city may enter into agreements to pay
3 delinquent state, county, metropolitan sewerage district, and technical college
4 district real ~~or personal~~ property taxes, including accrued interest and penalties
5 thereon, applicable to property located in that city at any stage in the proceedings
6 for collection and enforcement of those taxes and thereafter collect and enforce those
7 taxes, including interest and penalties on them, in its own name in accordance with
8 any of the procedures or remedies applicable to the collection and enforcement of
9 delinquent city, state, county, metropolitan sewerage district, and technical college
10 district taxes under this chapter and ch. 75.

11 **SECTION 84.** 74.87 (3) of the statutes is amended to read:

12 **74.87 (3) OPTIONAL PAYMENT SCHEDULE.** The common council of a city may, by
13 ordinance, permit payment in 10 equal installments, without interest, of general
14 property taxes, special charges, and special assessments of the city, other than for
15 special assessments for which no payment extension is allowed. Each installment
16 shall be paid on or before the last day of each month from January through October.
17 ~~Taxes on personal property may be paid in installments under this subsection if, on~~
18 ~~or before January 31 of the year in which the tax becomes due, the taxpayer has first~~
19 ~~paid to the city treasurer taxes on personal property levied by all taxing jurisdictions~~
20 ~~other than the city.~~ The amounts and time of payment of city general property taxes,
21 special assessments and charges in the city tax roll shall be as provided in the charter
22 of the city.

23 **SECTION 85.** 76.69 of the statutes is repealed.

24 **SECTION 86.** 77.84 (1) of the statutes is amended to read:

1 77.84 (1) TAX ROLL. Each clerk of a municipality in which the land is located
2 shall enter in a special column or other appropriate place on the tax roll the
3 description of each parcel of land designated as managed forest land, and shall
4 specify, by the designation “MFL-O” or “MFL-C”, the acreage of each parcel that is
5 designated open or closed under s. 77.83. The land shall be assessed and is subject
6 to review under ch. 70. Except as provided in this subchapter, no tax may be levied
7 on managed forest land, except that any building, improvements, and fixtures on
8 managed forest land is subject to taxation as ~~personal~~ real property under ch. 70.

9 **SECTION 87.** 174.065 (3) of the statutes is amended to read:

10 174.065 (3) COLLECTION OF DELINQUENT DOG LICENSE TAXES. Delinquent dog
11 license taxes may be collected in ~~the same manner as in s. 74.55 and a civil action~~
12 under ch. 799 for the collecting of personal property taxes, if the action is brought
13 within 6 years after the January 1 of the year in which the taxes are required to be
14 paid.

15 **SECTION 88.** 815.18 (3) (intro.) of the statutes is amended to read:

16 815.18 (3) EXEMPT PROPERTY. (intro.) The debtor’s interest in or right to receive
17 the following property is exempt, except as specifically provided in this section and
18 ss. ~~70.20 (2)~~, 71.91 (5m) and (6), ~~74.55 (2)~~ and 102.28 (5):

19 **SECTION 89.** 978.05 (6) (a) of the statutes is amended to read:

20 978.05 (6) (a) Institute, commence or appear in all civil actions or special
21 proceedings under and perform the duties set forth for the district attorney under ch.
22 980 and ss. 17.14, 30.03 (2), 48.09 (5), 59.55 (1), 59.64 (1), ~~70.36~~, 89.08, 103.92 (4),
23 109.09, 343.305 (9) (a), 806.05, 938.09, 938.18, 938.355 (6) (b) and (6g) (a), 946.86,
24 946.87, 961.55 (5), 971.14 and 973.075 to 973.077, perform any duties in connection
25 with court proceedings in a court assigned to exercise jurisdiction under chs. 48 and

1 938 as the judge may request and perform all appropriate duties and appear if the
2 district attorney is designated in specific statutes, including matters within chs. 782,
3 976 and 979 and ss. 51.81 to 51.85. Nothing in this paragraph limits the authority
4 of the county board to designate, under s. 48.09 (5), that the corporation counsel
5 provide representation as specified in s. 48.09 (5) or to designate, under s. 48.09 (6)
6 or 938.09 (6), the district attorney as an appropriate person to represent the interests
7 of the public under s. 48.14 or 938.14.

8

(END)