
Wisconsin Legislative Council

AMENDMENT MEMO



Memo published: January 19, 2022

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2021 Senate Bill 396

Senate Amendment 2

2021 SENATE BILL 396

2021 Senate Bill 396 changes the amount of interest that a taxation district pays to a taxpayer who successfully files a claim to recover an unlawful property tax.¹ The bill changes the interest rate from 0.8 percent per month to the average annual discount rate determined by the last auction of six-month U.S. Treasury bills. This matches the interest rate paid under current law by a taxation district on a successful claim for an excessive assessment.

The bill also allows a taxation district, after it has paid interest on either a recovery of an unlawful property tax or a successful claim for an excessive assessment, to collect from each underlying taxation district its proportionate share of the interest paid.

SENATE AMENDMENT 2

Senate Amendment 1 delays the bill's effective date to January 1, 2023.

BILL HISTORY

Senator Petrowski offered Senate Amendment 1 on January 6, 2022. On January 13, 2022, the Senate Committee on Financial Institutions and Revenue recommended adoption of Senate Amendment 1 and passage of Senate Bill 396, as amended, on votes of Ayes, 5; Noes 0.

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¹ Under current law, unchanged by the bill, a property tax is unlawful if any of the following has occurred: (1) a clerical error in the description of the property or in the computation of the tax; (2) the assessment included real property improvements which did not exist on the statutory date for making the assessment; (3) the property is exempt from taxation; (4) the property is not located in the taxation district; (5) a double assessment; or (6) an arithmetic, transpositional, or similar error. [s. 74.33 (1) (a) to (f), Stats.]