2003 SENATE BILL 341

December 10, 2003 – Introduced by Senator A. Lasee, cosponsored by Representatives Musser, Owens, Seratti, Bies, Ainsworth and M. Lehman. Referred to Committee on Homeland Security, Veterans and Military Affairs and Government Reform.

1 AN ACT *to create* 66.0222 of the statutes; **relating to:** requiring cities and

2 villages to make payments to towns from which land is annexed.

Analysis by the Legislative Reference Bureau

Currently, town territory that is contiguous to any city or village may be annexed to that city or village under several methods. Three of the methods of annexation include the following: 1) direct annexation, under which a petition for annexation that was signed by the required number of electors and landowners is filed with the city or village clerk; 2) annexation by referendum, under which a petition for referendum that was signed by the required number of electors and landowners is filed with the city or village clerk, and a referendum is held and passes in the town; and 3) annexation by court order and referendum, under which the governing body of a city or village adopts a resolution declaring its intention to apply to the circuit court for an order for an annexation referendum. If the city or village submits the resolution and the proper supporting documents and if no petition of protest is filed with the court or if the petition of protest is found by the court to be insufficient, the court shall order the referendum to be held. If the referendum passes in the town, the annexation occurs.

Another method of annexation is direct annexation by unanimous approval. Under this method, the governing body of the city or village may, generally, annex property by a two–thirds vote of the body if all of the following are filed with the city or village clerk and with the town clerk of all of the involved towns: 1) a petition for direct annexation by unanimous approval signed by all of the electors residing in the territory and signed by the owners of all the real property in the involved towns; 2)

a scale map; and 3) a legal description of the property to be annexed. Such an annexation, however, is subject to Department of Administration review as if the annexation petition were for direct, but not unanimous, annexation or annexation by referendum.

Under this bill, if a city or village annexes town territory, the city or village must pay to the town, for five years, an amount equal to the amount of property taxes that the town imposed on that territory in the year in which the annexation is final.

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

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

1   SECTION 1. 66.0222 of the statutes is created to read:

2   **66.0222 Payments to towns for annexed territory.** If a city or village

3 annexes town territory under s. 66.0217, 66.0219, or 66.0221, the city or village shall

4 annually pay to the town, for 5 years, an amount equal to the amount of property

5 taxes that the town levied on the annexed territory, as shown by the tax roll under

6 s. 70.65, in the year in which the annexation is final.

7   **SECTION 2. Initial applicability.**

8   (1) This act first applies to an annexation proceeding that is initiated on the

9 effective date of this subsection.

10   **(END)**