



2017 ASSEMBLY BILL 169

March 20, 2017 - Introduced by Representatives R. BROOKS, TUSLER, BERNIER, BORN, BRANDTJEN, E. BROOKS, FELZKOWSKI, GANNON, JARCHOW, KREMER, MACCO, MURSAU, NOVAK, NYGREN, RIPP, SANFELIPPO, SKOWRONSKI, STEFFEN, TITTL, VORPAGEL, WEATHERSTON, PETRYK and SPIROS, cosponsored by Senators STROEBEL, FEYEN, KAPENGA, MARKLEIN, NASS and OLSEN. Referred to Committee on Local Government.

- 1 **AN ACT to amend** 70.67 (1) of the statutes; **relating to:** the municipal treasurer's
2 bond for tax distribution.

Analysis by the Legislative Reference Bureau

This bill provides that, unless the municipality enacts an ordinance obligating the payment of state and county property taxes to the county, a municipal treasurer must execute a surety bond that guarantees the payment of the taxes to the county treasurer. The amount of the bond must be no less than the amount of the taxes.

Under current law, unless the municipality enacts an ordinance for the payment of the taxes, a municipal treasurer must execute a surety bond in an amount that is twice the amount of the taxes, but no more than \$500,000. If, however, the bond is executed or guaranteed solely by a surety company on the municipal treasurer's behalf, the amount of the bond must be the amount of the taxes, but no more than \$250,000.

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:

- 3 **SECTION 1.** 70.67 (1) of the statutes is amended to read:
4 70.67 (1) The treasurer of each town, city, or village shall, unless exempted
5 under sub. (2), execute and deliver to the county treasurer a bond, with sureties, to

ASSEMBLY BILL 169**SECTION 1**

1 be approved, in case of a town treasurer, by the chairperson of the town, and in case
2 of a city or village treasurer by the county treasurer, conditioned for the faithful
3 performance of the duties of the office and that the treasurer will account for and pay
4 over according to law all taxes of any kind which are received and which are required
5 to be paid to the county treasurer. If such bond is executed, ~~or the condition thereof~~
6 ~~guaranteed by personal sureties,~~ the amount of the bonds bond shall be double no
7 less than the amount of state and county taxes apportioned to the town, village, or
8 city, ~~provided that the amount of such bond shall not exceed the sum of \$500,000.~~
9 ~~When such bond is executed, or the condition thereof guaranteed, solely by a surety~~
10 ~~company as provided in s. 632.17 (2), such bond shall be in a sum equal to the amount~~
11 ~~of such state and county taxes, provided that the amount of such bond shall not~~
12 ~~exceed the sum of \$250,000.~~ The county treasurer shall give to said the town, city,
13 or village treasurer a receipt for said the bond, and shall file and safely keep said the
14 bond in the county treasurer's office.

SECTION 2. Initial applicability.

16 (1) This act first applies to the distribution of taxes in 2018.

17 (END)